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THE LAW REPORTS

1926

THE
PUBLIC GENERAL ACTS

Passed in
The Sixteenth and Seventeenth Years of the
Reign of His Majesty

King George the Fifth

And the

Church Assembly Measures

Which received the Royal Assent during 1926
with

Tables of the Titles
Effect of Legislation, Index, and
Index to the Local and Private Acts
passed during the Session

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16 & 17 GEORGE 5.—A.D. 1926.

16 GEORGE 5.

ROYAL ASSENT, 26TH MARCH, 1926.

1. An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-five, one thousand nine hundred and twenty-six, and one thousand nine hundred and twenty-seven. (*Consolidated Fund* (*No.* 1).)

2. An Act to grant money for the purpose of certain local loans out of the Local Loans Fund. (*Public Works Loans.*)

3. An Act to amend the Trade Facilities Acts, 1921 to 1925, by increasing the maximum limit of the loans in respect of which guarantees may be given under those Acts and by extending the period within which such guarantees may be given, and to extend the periods during which guarantees may respectively be given and remain in force under the Overseas Trade Acts, 1920 to 1924. (*Trade Facilities.*)

4. An Act to confirm and give effect to an agreement made between the Treasury and the Ministry of Finance for Northern Ireland with a view to assimilating the burdens on the Exchequers of the United Kingdom and Northern Ireland with respect to unemployment insurance. (*Unemployment Insurance* (*Northern Ireland Agreement*).)

ROYAL ASSENT, 29th APRIL, 1926.

5. An Act to amend section sixteen of the Allotments (Scotland) Act, 1922. (*Allotments (Scotland)*.)

6. An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force. (*Army and Air Force (Annual)*.)

16 & 17 GEORGE 5.

ROYAL ASSENT, 16TH JUNE, 1926.

7. An Act to amend the Bankruptcy Act, 1914. (*Bankruptcy (Amendment)*.)

8. An Act to amend the law with respect to measuring instruments, and with respect to the power to charge fees in connection with the testing of weighing and measuring apparatus. (*Weights and Measures (Amendment)*.)

9. An Act to make provision for reducing in respect of certain services the charges on public funds and for increasing, by means of the payment into the Exchequer of certain sums and otherwise, the funds available for meeting such charges, and to amend accordingly the law relating to national health insurance, unemployment insurance, the registration of electors and the holding of elections, education, bankruptcy and companies winding-up fees and certain other fees, and postmarks, and for purposes related or incidental to the matters aforesaid. (*Economy (Miscellaneous Provisions)*.)

10. An Act to extend further the duration of the Local Authorities (Emergency Provisions) Act, 1923. (*Local Authorities (Emergency Provisions)*.)

11. An Act to amend certain enactments relating to the Law of Property and Trustees. (*Law of Property (Amendment)*.)

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12. An Act to extend the periods of operation of section one and subsection (2) of section three of the Unemployment Insurance (No. 2) Act, 1924, and of subsection (1) of section five of the Unemployment Insurance Act, 1925. (*Unemployment Insurance.*)

13. An Act to amend section seven of the Criminal Justice Act, 1925. (*Criminal Justice (Amendment)*.)

14. An Act to provide for the incorporation of the Trustees of the Imperial War Graves Endowment Fund and for other matters connected with the said Fund. (*Imperial War Graves Endowment Fund.*)

Royal Assent, 8th July, 1926.

15. An Act to amend the law of Scotland relating to appeal in criminal cases tried on indictment. (*Criminal Appeal* (*Scotland*).)

16. An Act to amend the law relating to the execution of diligence in Scotland. (*Execution of Diligence* (*Scotland*).)

17. An Act to amend temporarily the Coal Mines Acts, 1887 to 1919, with respect to the hours of employment below ground. (*Coal Mines.*)

Royal Assent, 15th July, 1926.

18. An Act to transfer the powers of the Secretary for Scotland to one of His Majesty's Principal Secretaries of State, and to increase the number of Secretaries of State and Under Secretaries of State capable of sitting and voting in the Commons House of Parliament, and for purposes connected with the matters aforesaid. (*Secretaries of State.*)

19. An Act to remove the necessity of the re-election of Members of the House of Commons on acceptance of office. (*Re-election of Ministers Act* (1919) *Amendment.*)

20. An Act to provide in the case of default by a board of guardians for the reconstitution of the board; and for matters arising out of the default or consequential on the reconstitution. (*Boards of Guardians* (*Default*).)

21. An Act to amend the Markets and Fairs (Weighing of Cattle) Acts, 1887 and 1891. (*Markets and Fairs* (*Weighing of Cattle*).)

Royal Assent, 4th August, 1926.

22. An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with finance. (*Finance.*)

23. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, and to appropriate the Supplies granted in this Session of Parliament. (*Appropriation.*)

24. An Act to amend the law with respect to the drainage of agricultural land. (*Land Drainage.*)

25. An Act to amend the Petroleum Acts, 1871 and 1879. (*Petroleum.*)

26. An Act to protect the names, uniforms, and badges of associations incorporated by Royal Charter. (*Chartered Associations* (*Protection of Names and Uniforms*).)

27. An Act to amend the law with respect to Customs in the Isle of Man. (*Isle of Man* (*Customs*).)

28. An Act to make provision for facilitating the working of minerals and the better organisation of the coal mining industry, and with respect to the welfare of persons employed therein, and for other purposes connected with that industry. (*Mining Industry.*)

29. An Act to make provision for the adoption of infants. (*Adoption of Children.*)

30. An Act to facilitate the burning of heather in Scotland and to extend the period in which this can be done. (*Heather Burning* (*Scotland*).)

31. An Act to amend the law as regards music and dancing licences in parts of certain Home Counties and in certain county boroughs adjacent thereto. (*Home Counties* (*Music and Dancing*) *Licensing.*)

32. An Act to amend the Midwives Acts, 1902 and 1918, and to provide for the registration and inspection of maternity homes, and for purposes connected therewith. (*Midwives and Maternity Homes.*)

ROYAL ASSENT, 22ND NOVEMBER, 1926.

33. An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, and to appropriate the further Supplies granted in this Session of Parliament. (*Appropriation* (*No.* 2).)

34. An Act to increase the rateable deductions to be made from the pay of the police and to authorise, in certain circumstances, the return of rateable deductions in the case of members of police forces retired or dismissed after the thirtieth day of June, nineteen hundred and nineteen. (*Police Pensions.*)

ROYAL ASSENT, 15TH DECEMBER, 1926.

35. An Act to amend section eleven of the Industrial Assurance Act, 1923, with respect to the exemption from that Act of juvenile societies. (*Industrial Assurance* (*Juvenile Societies*).)

36. An Act to amend the Parks Regulation Act, 1872. (*Parks Regulation* (*Amendment*).)

37. An Act to make better provision for the protection against lead poisoning of persons employed in painting buildings. (*Lead Paint* (*Protection against Poisoning*).)

38. An Act to amend the law with respect to the constitution and extension of county boroughs, and to amend the Local Government (Adjustments) Act, 1913. (*Local Government* (*County Boroughs and Adjustments*).)

39. An Act to regulate the sale on commission of horticultural produce. (*Horticultural Produce* (*Sales on Commission*).)

40. An Act to confer on Courts in India and other parts of His Majesty's Dominions jurisdiction in certain cases with respect to the dissolution of marriages, the parties whereto are domiciled in England or Scotland, and to validate certain decrees granted for the dissolution of the marriage of persons so domiciled. (*Indian and Colonial Divorce Jurisdiction.*)

41. An Act to amend the Officers of Royal Naval Reserve Act, 1863. (*Naval Reserve* (*Officers*).)

42. An Act to amend subsection (2) of section eleven of the Workmen's Compensation Act, 1925. (*Workmen's Compensation.*)

43. An Act to amend the law relating to smoke nuisances and for other purposes connected therewith. (*Public Health* (*Smoke Abatement*).)

44. An Act to amend the law with respect to the salaries and pensions of persons hereafter appointed to be judges of the Supreme Court of Judicature of Northern Ireland, and with respect to certain matters connected with that Court. (*Supreme Court of Judicature of Northern Ireland.*)

45. An Act to amend the law with respect to the sale of fertilisers and feeding stuffs. (*Fertilisers and Feeding Stuffs.*)

46. An Act to make further provision with respect to the University of London. (*University of London.*)

47. An Act to amend the law with respect to rating in Scotland, and for purposes incidental thereto or connected therewith. (*Rating* (*Scotland*).)

48. An Act to amend the law relating to certification of deaths and the disposal of the dead. (*Births and Deaths Registration.*)

49. An Act to continue certain Expiring Laws. (*Expiring Laws Continuance.*)

50. An Act to provide for the discontinuance of the Burgh Registers of Sasines in Scotland. (*Burgh Registers* (*Scotland*).)

51. An Act to amend the law with respect to the supply of electricity. (*Electricity* (*Supply*).)

52. An Act to amend the Small Holdings and Allotments Acts, 1908 to 1919. (*Small Holdings and Allotments.*)

53. An Act to require an indication of origin to be given in the case of certain imported goods. (*Merchandise Marks.*)

54. An Act to facilitate the use of wireless telegraphy by the blind. (*Wireless Telegraphy* (*Blind Persons Facilities*).)

55. An Act to provide for the further relief of His Majesty's Roman Catholic subjects. (*Roman Catholic Relief.*)

56. An Act to promote the provision of housing accommodation for agricultural workers and for persons whose economic condition is substantially the same as that of such workers and the improvement of such accommodation, by authorising the giving of financial assistance towards the reconstruction and improvement of houses and other buildings. (*Housing* (*Rural Workers*).)

57. An Act to amend the provisions of the Prisons (Scotland) Act, 1877, relating to the discontinuance of prisons, and the legalisation of police cells as places of detention. (*Prisons* (*Scotland*).)

58. An Act to increase and extend the powers of the court to inflict penal servitude in lieu of imprisonment in the case of certain crimes. (*Penal Servitude.*)

59. An Act to amend the law relating to coroners. (*Coroners* (*Amendment*).)

60. An Act to amend the law relating to children born out of wedlock. (*Legitimacy.*)

61. An Act to regulate the publication of reports of judicial proceedings in such manner as to prevent injury to public morals. (*Judicial Proceedings* (*Regulation of Reports*).)

62. An Act to authorise the Treasury to guarantee certain loans to be raised respectively by the Government of Palestine and by the Governments of certain territories in East Africa. (*Palestine and East Africa Loans.*)

63. An Act to provide for the better protection of the public in relation to the sale of food, including agricultural and horticultural produce. (*Sale of Food* (*Weights and Measures*).)

THE

PUBLIC GENERAL STATUTES.

[16 Geo. 5.]

CHAPTER 1.

An Act to apply certain sums out of the Consolidated Fund to the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-five, one thousand nine hundred and twenty-six, and one thousand nine hundred and twenty-seven.

[26th March 1926.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament have resolved to grant unto Your Majesty the sums hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Issue of 5,656,678*l.* 9*s.* 7*d.* out of the Consolidated Fund for the service of the years ending 31st March, 1925 and 1926.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the years ending on the thirty-first day of March, one thousand nine hundred and twenty-five, and one thousand nine hundred and twenty-six, the sum of five million six hundred and fifty-six thousand six hundred and seventy-eight pounds nine shillings and sevenpence.

Issue of 174,047,500*l.* out of the Consolidated Fund for the service of the year ending 31st March 1927.

2. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, the sum of one hundred and seventy-four million forty-seven thousand five hundred pounds.

Power for the Treasury to borrow.

3.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole one hundred and seventy-nine million seven hundred and four thousand one hundred and seventy-eight pounds nine shillings and sevenpence.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-seven and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per centum per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

Short title.

4. This Act may be cited as the Consolidated Fund (No. 1) Act, 1926.

CHAPTER 2.

An Act to grant money for the purpose of certain local loans out of the Local Loans Fund. [26th March 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) There may be issued by the National Debt Commissioners for the purpose of local loans by the Public Works Loan Commissioners any sum or sums not exceeding in the whole the sum of thirty-five million pounds.

Grants for public works.

(2) The sums so issued shall be issued during a period ending on the day on which a further Act granting money for the purposes of those loans comes into operation, and in accordance with the provisions of the National Debt and Local Loans Act, 1887.

50 & 51 Vict. c. 16.

2. This Act may be cited as the Public Works Loans Act, 1926.

Short title.

CHAPTER 3.

An Act to amend the Trade Facilities Acts, 1921 to 1925, by increasing the maximum limit of the loans in respect of which guarantees may be given under those Acts and by extending the period within which such guarantees may be given, and to extend the periods during which guarantees may respectively be given and remain in force under the Overseas Trade Acts, 1920 to 1924. [26th March 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Increase of amount of loans which may be guaranteed under 11 & 12 Geo. 5. c. 65, and extension of period for giving guarantees.

1.—(1) The maximum limit on the aggregate capital amount of the loans, the principal or interest of which may be guaranteed under subsection (1) of section one of the Trade Facilities Act, 1921, as amended by any other enactment, shall be increased from seventy million pounds to seventy-five million pounds.

(2) The period within which guarantees may be given under the said section one (which period as now limited will expire on the thirty-first day of March, nineteen hundred and twenty-six) shall be extended by one year.

Extension of periods during which guarantees may be given and remain in force under Overseas Trade Acts, 1920 to 1924.

2. The period within which new guarantees may be given under the Overseas Trade Acts, 1920 to 1924, and the period during which guarantees given under the said Acts (including renewed guarantees) may remain in force, shall be extended by three years so as to expire on the eighth day of September, nineteen hundred and twenty-nine, and the eighth day of September, nineteen hundred and thirty-three, respectively.

Short title.

3. This Act may be cited as the Trade Facilities Act, 1926, and the Trade Facilities Acts, 1921 to 1925, and section one of this Act may be cited together as the Trade Facilities Acts, 1921 to 1926, and the Overseas Trade Acts, 1920 to 1924, and section two of this Act may be cited together as the Overseas Trade Acts, 1920 to 1926.

CHAPTER 4.

An Act to confirm and give effect to an agreement made between the Treasury and the Ministry of Finance for Northern Ireland with a view to assimilating the burdens on the Exchequers of the United Kingdom and Northern Ireland with respect to unemployment insurance.

[26th March 1926.]

WHEREAS, with a view to assimilating the burdens on the Exchequer of the United Kingdom and the Exchequer of Northern Ireland, per head of population, in respect of unemployment insurance, the Treasury and the Ministry of Finance for Northern Ireland have entered into the agreement set forth in the schedule to this Act, and it is expedient that the said agreement should be confirmed and that provision should be made for the payment of such sums as may be payable out of the Exchequer of the United Kingdom thereunder:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Confirmation of scheduled agreement.

1.—(1) The agreement set forth in the schedule to this Act is hereby confirmed, and shall have effect as if enacted in this Act.

(2) Any sums certified by the Joint Exchequer Board to be payable under the said agreement from the Exchequer of the United Kingdom to the Exchequer of Northern Ireland shall be charged on and paid out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

Short title, commencement and duration.

2.—(1) This Act may be cited as the Unemployment Insurance (Northern Ireland Agreement) Act, 1926.

(2) This Act shall not come into operation unless and until His Majesty, by Order in Council, declares that a corresponding Act has been passed by the Parliament of Northern Ireland, and shall cease to be in force if and when His Majesty, by Order in Council, declares that such corresponding Act of the Parliament of Northern Ireland has ceased to be in force.

SCHEDULE.

AGREEMENT MADE BETWEEN THE TREASURY AND THE MINISTRY OF FINANCE FOR NORTHERN IRELAND WITH A VIEW TO ASSIMILATING THE BURDENS ON THE EXCHEQUER OF THE UNITED KINGDOM AND ON THE EXCHEQUER OF NORTHERN IRELAND IN RESPECT OF UNEMPLOYMENT INSURANCE.

The Treasury and the Ministry of Finance for Northern Ireland, with a view to assimilating the burdens on the Exchequer of the United Kingdom and the Exchequer of Northern Ireland, per head of populations, in respect of unemployment insurance, have entered into the following agreement:

1. There shall in respect of each financial year be ascertained the surplus or deficiency of the unemployment funds of Great Britain and Northern Ireland, and the amount required to be paid into the fund which is, as compared with the other fund, in the less favourable position, in order to bring the funds into a state of parity in respect of that year, on the basis of the insured populations of Great Britain and Northern Ireland, respectively.

The fund which is in the less favourable position is hereinafter referred to as "the poorer fund."

The payment required to be made into the poorer fund in order to bring it into such a state of parity as aforesaid is hereinafter referred to as "the equalisation payment."

The surplus or deficiency of an unemployment fund in respect of any financial year shall be ascertained by comparing the receipts of the fund on income account in that year, excluding any sums paid into the fund during the year on account of the equalisation payment under this agreement or by way of advances from the Exchequer, with the expenditure from the fund on income account in the year, including the amount paid for that year by way of interest on advances from the Exchequer made to that fund in that or any previous year and for the time being outstanding, but excluding any sums paid by way of repayment of advances from the Exchequer.

2. If as respects any year there is paid into the poorer fund by way of grant from the Exchequer of the country to which that fund belongs, in addition to any other contributions payable into that fund from that Exchequer, an amount equal to the equalisation payment, there shall be paid into that Exchequer from the Exchequer of the other country, a contribution calculated in manner hereinafter appearing.

3. The contribution from one Exchequer to the other in respect of a financial year shall be a sum equal to three-fourths of such sum as may be required to equalise per head of the population of the respective countries the payments from the Exchequers of the respective countries into their respective unemployment funds in respect of that year (excluding any payments on account of advances from those Exchequers to their respective unemployment funds but including, in the case of the country to which the poorer fund belongs, the amount of the equalisation payment).

4. There may be paid from time to time from the Exchequer of the country to which an unemployment fund belongs into that fund sums on account of the equalisation payment which may ultimately be found to be due to that fund, and where any such payment on account is made from an Exchequer, there shall be paid to that Exchequer from the Exchequer of the other country on account of the contribution which may ultimately be found to be due such sum as the Joint Exchequer Board may determine to be proper.

5. If at any time the classes of persons insured, the rates of contribution or the rates or conditions of benefit differ in the two countries, there shall be made such adjustments in the amount of the equalisation payment and the contribution from one Exchequer to the other as the Joint Exchequer Board, after consulting the Government Actuary, consider just.

6.—(1) If at any time the proportion of the receipts of an unemployment fund which may be applied as an appropriation in aid of moneys provided by Parliament for the purpose of administrative expenses differs in the two countries, and by reason thereof the proportion of the receipts so applied in one country exceeds the amount which might have been so applied if the proportions had been the same, the amount of such excess shall, for the purpose of determining the surplus or deficiency of that fund, not be treated as expenditure from that fund.

(2) The sums paid into an unemployment fund on account of the equalisation payment under this agreement shall not be treated as receipts of the fund in determining the amount which may be paid as an appropriation in aid of moneys provided by Parliament for the purpose of administrative expenses.

7. Any question arising under this agreement as to the amount of any equalisation payment or of a contribution from one Exchequer to the other, or otherwise, shall be determined by the Joint Exchequer Board, whose decision shall be final.

8. For the purposes of this agreement in relation to any financial year—

(*a*) the populations of Great Britain and Northern Ireland respectively shall be deemed to be such as may be certified by the Registrar-General, after consultation with the Registrar-General for Scotland, and by the Registrar-General of Northern Ireland, respectively, to be in their opinion the population on the thirtieth day of June in that year;

(*b*) the expression "insured population" means the number of persons certified by the Minister of Labour and the Ministry of Labour for Northern Ireland, respectively, with the concurrence of the Government Actuary as being in their opinion the number of persons insured under the enactments relating to unemployment insurance in Great Britain and Northern Ireland, respectively, on the thirtieth day of June in that year (excluding persons insured under any special scheme made under any of those enactments).

9. This agreement shall not come into operation until confirmed by Acts of the Parliaments of the United Kingdom and Northern Ireland, but upon being so confirmed shall apply as from the first day of October, nineteen hundred and twenty-five, until the thirty-first day of March, nineteen hundred and thirty.

10. For the purposes of this agreement, the period from the first day of October, nineteen hundred and twenty-five, to the thirty-first day of March, nineteen hundred and twenty-six, shall be deemed to be a financial year; and in relation to that period the period from the first day of April to the thirtieth day of September, nineteen hundred and twenty-five, shall be deemed to be a previous year, and references in paragraphs (*a*) and (*b*) of Article 8 of this agreement to the thirtieth day of June in a year shall be construed as references to the thirtieth day of June nineteen hundred and twenty-five.

(Signed) H. M. POLLOCK. (Signed) WINSTON S. CHURCHILL.
FREDERICK CHARLES THOMSON.

10th February 1926.

CHAPTER 5.

An Act to amend section sixteen of the Allotments (Scotland) Act, 1922. [29th April 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of 12 & 13 Geo. 5. c. 52, s. 16.

1. Notwithstanding the provisions of section sixteen of the Allotments (Scotland) Act, 1922, any local authority may, if they deem it expedient, take proceedings under the provisions of the Allotments Acts relating to allotments if, in the opinion of the local authority, the expenses referred to in the said section may reasonably be expected, after the proceedings are taken, to exceed the receipts of the local authority under these provisions by no greater amount than would be produced by a rate of one penny in the pound.

Short title, construction and extent.

2.—(1) This Act may be cited as the Allotments (Scotland) Act, 1926; and the Allotments (Scotland) Acts, 1892 to 1922, and this Act may be cited as the Allotments (Scotland) Acts, 1892 to 1926, and shall be construed together as one Act.

(2) This Act shall extend to Scotland only.

CHAPTER 6.

An Act to provide, during Twelve Months, for the Discipline and Regulation of the Army and Air Force. [29th April 1926.]

WHEREAS the raising or keeping of a standing army within the United Kingdom in time of peace, unless it be with the consent of Parliament, is against law:

And whereas it is adjudged necessary by His Majesty and this present Parliament that a body of land forces should be continued for the safety of the United Kingdom and the defence of the possessions of His Majesty's Crown, and that the whole number of such forces should consist of one hundred and fifty-nine thousand four hundred, including those to be employed at the depôts in the United Kingdom for the training of recruits for service at home and abroad, but exclusive of the numbers actually serving within His Majesty's Indian possessions:

7 & 8 Geo. 5. c. 51. And whereas under the Air Force (Constitution) Act, 1917, His Majesty is entitled to raise and maintain the air force, and it is judged necessary that the whole number of such force should consist of thirty-five thousand five hundred, including those employed as aforesaid, but exclusive of the numbers serving as aforesaid, and the provisions of the Air Force Act are due to expire at the same dates as the provisions of the Army Act:

And whereas it is also judged necessary for the safety of the United Kingdom, and the defence of the possessions of this realm, that a body of Royal Marine forces should be employed in His Majesty's fleet and naval service, under the direction of the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral aforesaid:

And whereas the said marine forces may frequently be quartered or be on shore, or sent to do duty or be on board transport ships or vessels, merchant ships or vessels, or other ships or vessels, or they may be under other circumstances in which they will not be subject to the laws relating to the government of His Majesty's forces by sea:

And whereas no man can be forejudged of life or limb, or subjected in time of peace to any kind of punishment within this realm, by martial law, or in any other manner than by the judgment of his peers and according to the known and established laws of this realm; yet, nevertheless, it being requisite, for the retaining all the before-mentioned forces, and other persons subject to military law or to the Air Force Act, in their duty, that an exact discipline be observed and that persons belonging to the said forces who mutiny or stir up sedition, or desert His Majesty's service, or are guilty of crimes and offences to the prejudice of good order and military or air force discipline, be brought to a more exemplary and speedy punishment than the usual forms of the law will allow:

And whereas the Army Act and the Air Force Act will expire in the year one thousand nine hundred and twenty-six on the following days:—

(*a*) in Great Britain and Ireland, the Channel Islands, and the Isle of Man, on the thirtieth day of April; and

(*b*) elsewhere, whether within or without His Majesty's dominions, on the thirty-first day of July:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title.

1. This Act may be cited as the Army and Air Force (Annual) Act, 1926.

Army Act and Air Force Act to be in force for specified times.

2.—(1) The Army Act and the Air Force Act shall be and remain in force during the periods hereinafter mentioned, and no longer, unless otherwise provided by Parliament (that is to say):—

(*a*) Within Great Britain and Ireland, the Channel Islands, and the Isle of Man, from the thirtieth day of April, one thousand nine hundred and twenty-six, to the thirtieth day of April, one thousand nine hundred and twenty-seven, both inclusive; and

(*b*) Elsewhere, whether within or without His Majesty's dominions, from the thirty-first day of July, one thousand nine hundred and twenty-six, to the thirty-first day of July, one thousand nine hundred and twenty-seven, both inclusive.

(2) The Army Act and the Air Force Act, while in force, shall apply to persons subject to military law or to the Air Force Act, as the case may be, whether within or without His Majesty's dominions.

(3) A person subject to military law or to the Air Force Act shall not be exempted from the provisions of the Army Act or Air Force Act by reason only that the number of the forces for the time being in the service of

His Majesty, exclusive of the marine forces, is either greater or less than the numbers hereinbefore mentioned.

Prices in respect of billeting.

3. There shall be paid to the keeper of a victualling house for the accommodation provided by him in pursuance of the Army Act or the Air Force Act the prices specified in the First Schedule to this Act.

AMENDMENTS OF ARMY AND AIR FORCE ACTS.

PART I.

AMENDMENTS OF ARMY ACT APPLICABLE ALSO TO THE AIR FORCE ACT.

Amendment of s. 18 of Army Act.

4. In paragraph (4) of section eighteen of the Army Act (which relates to disgraceful conduct), for the words "or embezzles" there shall be substituted the words "embezzles or fraudulently misapplies."

Amendment of s. 44 of Army Act.

5. In section forty-four of the Army Act (which relates to the scale of punishments by courts-martial) after paragraph (*g*) there shall be inserted:

"(*gg*) Stoppages."

Amendments of s. 52 of Army Act.

6.—(1) The following subsection shall be substituted for subsection (1) of section fifty-two of the Army Act (which relates to the administration of oaths):—

> "(1) An oath in the prescribed form shall be administered by the prescribed person to every member of every court-martial before the commencement of the trial."

(2) In subsection (2) of the said section after the word "writer" there shall be inserted the words "or interpreter."

Amendments of s. 56 of Army Act.

7.—(1) The following subsections shall be inserted after subsection (4) of section fifty-six of the Army Act (which makes conviction of a less offence permissible on a charge of a greater offence):—

> "(4A) An accused charged before a court-martial with striking may be found guilty of using or offering violence.

(4B) An accused charged before a court-martial with using violence may be found guilty of offering violence.

(4C) An accused charged before a court-martial with using threatening language may be found guilty of using insubordinate language."

(2) The following subsection shall be inserted after subsection (5) of the said section:—

"(6) Where an accused is charged before a court-martial with a civil offence and the charge is one upon which, if he had been tried by a civil court he might have been found guilty of any other offence, the court-martial shall have power to find him guilty of that offence."

Amendment of s. 130 of Army Act.

8. The following subsection shall be substituted for subsection (2) of section one hundred and thirty of the Army Act (which contains provisions in cases of insane persons):—

"(2) Where, on the trial by court-martial of a person charged with an offence, it appears that such person did the act or made the omission with which he is charged, but that he was insane at the time when he did or made the same, the court shall find specially that the accused was guilty of the act or omission charged but was insane at the time when he did the act or made the omission, and such person shall be kept in custody in the prescribed manner until the directions of His Majesty thereon are known."

Amendment of s. 161 of Army Act.

9. In section one hundred and sixty-one of the Army Act (which relates to the limitation of time for the trial of offences), after the word "Provided" there shall be inserted the words "that a soldier who has "fraudulently enlisted during a period of re-engagement "shall only forfeit the service rendered during such "re-engagement, and."

Amendment of provisions relating to execution of sentences, &c.

10.—(1) With a view to simplifying the provisions of the Army Act which relate to the execution of sentences of penal servitude, imprisonment and detention, the nature and locality of the penal establishments in which those sentences are to be served, and the treatment to be accorded to soldiers under sentence, the following amendments shall be made in the said Act:—

(*a*) For sections fifty-eight to sixty-eight inclusive there shall be substituted the provisions contained in Part I. of the Second Schedule to this Act:

(*b*) For sections one hundred and thirty-one to one hundred and thirty-five inclusive there shall be substituted the provisions contained in Part II. of the said Schedule:

(*c*) The proviso contained in Part III. of the said Schedule shall be inserted after proviso (1A) to section forty-four.

(2) This section shall not come into operation until the first day of October, nineteen hundred and twenty-six.

Application to Air Force.

11. References in this Part of this Act to the Army Act shall be deemed to include references to the Air Force Act, and the provisions of this Part of this Act (including the Second Schedule thereto) shall in their application to the Air Force Act have effect subject to any of the general modifications set out in Part I. of the Second Schedule to the Air Force Constitution Act, 1917, which apply, and also with the substitution of "military prison" and "military detention barrack" for "air force prison" and "air force detention barrack."

PART II.

AMENDMENTS OF ARMY ACT.

Amendments of ss. 48 and 49 of Army Act.

12.—(1) The following paragraph shall be inserted at the end of section forty-eight of the Army Act (which enacts certain rules with respect to general and district courts-martial):—

"(10) If it becomes necessary to convene a court-martial under this Act at any place where in the opinion of the convening officer the necessary number of military officers is not available to form such a court, or where in his opinion such a necessary number could not be made available without serious injury to the interests of the service, such opinion to be expressed in the order convening the court, and to be conclusive, then the said convening officer may, subject to any directions which may be given by the Army Council and with the consent of the proper air force authority, nominate any air force officer to preside over the court, or nominate as members of the court any necessary number of air force officers in addition to or in lieu of military officers:

Provided that no air force officer shall be qualified to perform any function in relation to such court-martial unless he is of equal seniority and equivalent rank to that which would have been required by the provisions of this Act if he had been a military officer."

(2) In subsection (2) of section forty-nine of the Army Act (which relates to field general courts-martial) after the word " Act " there shall be inserted the words " except paragraph (10) thereof."

Amendment of provisions as to billeting.

13.—(1) The provisions of section one hundred and eight A of the Army Act (which relates to billeting in cases of emergency) shall have effect in case of emergency notwithstanding that directions have not been given for embodying all or any part of the territorial army, and accordingly in subsection (1) of that section the words " where directions have been given for embodying all or any part of the Territorial Army " shall be omitted.

(2) In subsection (4) of section one hundred and eighty-one of the Army Act (which contains modifications of the Act with respect to the auxiliary forces), after the word " behalf " there shall be inserted the words " or when called out for actual military service " for purposes of defence in the United Kingdom."

Amendments of ss. 82, 100 and 161 of Army Act.

14.—(1) In subsection (1) of section eighty-two of the Army Act (which relates to enlistment for general service and appointment to corps), the words " of the regular forces " shall be omitted, and in subsection (2) of the said section for the words " to some corps of the regular forces " there shall be substituted the words

" to such corps as the competent military authority may " think fit."

(2) In subsection (2) of section one hundred of the Army Act (which relates to the validity of attestation and enlistment or re-engagement), for the words " in any " corps of His Majesty's regular forces " there shall be substituted the words " of the regular forces."

(3) In section one hundred and sixty-one of the Army Act (which relates to liability to military law in respect of the time for trial of offences), for the words " in any corps of His Majesty's regular forces " there shall be substituted the words " as a soldier of the regular " forces."

PART III.

AMENDMENTS OF THE AIR FORCE ACT.

Amendment of s. 179A of Air Force Act.

15. In subsection (2) of section one hundred and seventy-nine A of the Air Force Act (which prescribes the modifications of that Act with respect to sailors and soldiers attached to the Air Force) for the words " when " not subject to the Naval Discipline Act " there shall be substituted the words " other than one who remains " subject to the Naval Discipline Act by virtue of " subsection (1A) of section one hundred and seventy-" five or subsection (1A) of section one hundred and " seventy-six of this Act."

Amendment of s. 190 of Air Force Act.

16. The following paragraph shall be inserted after paragraph (8) of section one hundred and ninety of the Air Force Act (which relates to the interpretation of terms in that Act):—

> " (9) The expression 'Royal Warrant' includes an order of His Majesty signified under the hand of a Secretary of State."

SCHEDULES.

FIRST SCHEDULE.

Accommodation to be provided.	Maximum Price.
Lodging and attendance for soldier where meals furnished.	Tenpence per night for the first soldier and eightpence per night for each additional soldier.
Breakfast as specified in Part I. of the Second Schedule to the Army Act.	Sevenpence each.
Dinner as so specified - - - -	Tenpence.
Supper as so specified - - - -	Fourpence.
Where no meals furnished, lodging and attendance, and candles, vinegar, salt, and the use of fire, and the necessary utensils for dressing and eating his meat.	Tenpence per night for the first soldier and eightpence per night for each additional soldier.
Stable room and ten pounds of oats, twelve pounds of hay, and eight pounds of straw per day for each horse.	Two shillings and twopence per day.
Stable room without forage - - -	Sixpence per day.
Lodging and attendance for officer - -	Three shillings per night.

Note.—An officer shall pay for his food.

In the application of this Schedule to the Air Force references to the Air Force Act and airman shall be substituted for references to the Army Act and soldier.

SECOND SCHEDULE.

PART I.

SECTIONS TO BE SUBSTITUTED FOR SS. 58 TO 68 OF THE ARMY ACT.

Penal Servitude.

Effect of sentence of penal servitude.

58. Where a sentence of penal servitude is passed by a court-martial, the military convict shall, as soon as practicable, be committed to a penal servitude prison to undergo his sentence according to law:

2ND SCH. —*cont.*

Provided that where the sentence was passed for an offence committed on active service, the competent military authority may order that any part of the sentence, not exceeding two years, shall be served in a military prison in accordance with rules made for the purpose under this Act, and in such case the provisions of this Act with respect to penal servitude (except those relating to the treatment of a military convict on arrival at a penal servitude prison), shall, with respect to the part of the sentence to be so served, have effect as though for references to a penal servitude prison there were substituted references to a military prison.

Place in which sentence to be served.

59. The penal servitude prison to which a military convict is committed shall be a penal servitude prison in the United Kingdom, unless the convict—

(*a*) was sentenced in India or a colony, and belongs to a class of persons with respect to whom the Secretary of State by declaration laid before both Houses of Parliament has declared that by reasons of climate, place of birth, place of enlistment or otherwise, transfer to the United Kingdom would not be beneficial; or

(*b*) was enlisted in a colony, and belongs to a class of persons so enlisted with respect to whom the Secretary of State has arranged with the Governor of that colony that they may, if sentenced to penal servitude, be transferred to or kept in the colony and there undergo sentence,

in either of which cases he may undergo his sentence in India or the colony, as the case may require.

Interim custody of military convict before arrival at penal servitude prison.

60.—(1) Until transferred to a penal servitude prison a military convict—

(*a*) if in the United Kingdom or a foreign country, shall be kept in military custody;

(*b*) if in India or a colony, may be kept in military custody or in civil custody, or partly in one description of custody and partly in the other, and may, by order of the competent military authority, from time to time be transferred from military custody to civil custody and from civil custody to military custody as occasion may require.

(2) A military convict in India or a colony may, whilst in civil custody in any prison, be dealt with, in respect of hard labour and otherwise, according to the rules of that prison.

Committal, removal, release, &c., of military convict.

61.—(1) An order of the competent military authority shall be a sufficient warrant for the committal of a military convict to a penal servitude prison.

(2) An order of the competent military authority shall be a sufficient authority for the transfer of the military convict from military custody to civil custody and from civil custody to military custody, and his removal from place to place, and for his detention in civil custody, and generally for dealing with such convict in such manner as may be thought expedient until he is transferred to a penal servitude prison.

(3) A military convict at any time either before or after his arrival at a penal servitude prison, may, if his sentence is remitted, be released by order of the competent military authority.

(4) A military convict may, during his conveyance from place to place, or when on board ship or otherwise, be subjected to such restraint as is necessary for his safe conduct and removal.

Treatment of military convict in penal servitude prison.

62. After a military convict has arrived at a penal servitude prison to undergo his sentence, he shall be dealt with in the same manner as an ordinary civil prisoner under sentence of penal servitude; and all enactments relating to a person sentenced to penal servitude by a competent civil court shall, so far as circumstances admit, apply accordingly.

Imprisonment and Detention.

Effect of sentence of imprisonment or detention.

63.—(1) Where a sentence of imprisonment is passed by a court-martial, the military prisoner shall undergo the term of his imprisonment either in a military prison, or detention barrack, or in other military custody, or in a civil prison, or partly in one way and partly in another.

(2) Where a sentence of detention is passed by a court-martial or a commanding officer, the person on whom that sentence has been passed shall undergo the term of his detention either in a detention barrack, or in military custody, or partly in one way and partly in the other, but not in a prison.

Place in which sentence to be served.

64.—(1) Subject to the provisions of this section, a military prisoner or soldier under sentence of detention who was sentenced or is undergoing his sentence in the United Kingdom shall not be removed to a prison or detention barrack elsewhere, unless he was enlisted in a colony and belongs to a class of persons so enlisted with respect to whom the Secretary of State has arranged with the Governor of that colony that they may, if sentenced to imprisonment or detention, be transferred to the colony and there undergo sentence, in which case he may be removed to a prison or detention barrack in that colony.

(2) The competent military authority may give directions for delivery into military custody of any military prisoner or

2nd Sch. *—cont.*

soldier undergoing detention, and the removal of such prisoner or soldier, whether with his corps or separately, to any place beyond the seas where the corps or any part thereof to which for the time being he belongs is serving or under orders to serve.

(3) A military prisoner or soldier under sentence of detention who was sentenced in a foreign country shall undergo his sentence either in that foreign country, or in any foreign country in which the force with which he is serving may be, or in the United Kingdom, or in such other place as may be prescribed.

(4) A military prisoner or soldier under sentence of detention who was sentenced in India or a colony shall undergo his sentence either in India or in that colony (as the case may be), or in such other part of His Majesty's dominions as may be prescribed, or in the United Kingdom:

Provided that—

(*a*) if the term of his sentence exceeds twelve months, he shall be transferred as soon as practicable to a prison or detention barrack in the United Kingdom, unless—

(i) he belongs to a class of persons with respect to whom the Secretary of State by declaration laid before both Houses of Parliament has declared that by reasons of climate, place of birth, place of enlistment or otherwise, transfer to the United Kingdom would not be beneficial; or

(ii) the court for special reasons otherwise orders;

and any order which may be made under this provision by the court may be made by the confirming authority in confirming the finding and sentence, and in the case of any commutation or remission of sentence may be made by the authority commuting or remitting the sentence; and

(*b*) a military prisoner or soldier undergoing detention in India or a colony shall not, for longer than is absolutely necessary, be detained in any civil prison other than a prison in respect of which arrangements have been made by the Secretary of State under this Act with the Governor-General of India or the Governor of the colony.

Interim custody of military prisoner or soldier undergoing detention.

65. A military prisoner or soldier undergoing detention may until he reaches the prison or detention barrack in which he is to undergo his sentence, be kept in military custody or in civil custody, or partly in one description of custody and partly in the other, and may, by order of the competent military authority, from time to time be transferred from military custody to civil custody, and from civil custody to military custody as occasion may require.

Committal, removal, release, &c., of military prisoner or soldier undergoing detention.

66.—(1) An order of the competent military authority shall be a sufficient warrant for the committal of a military prisoner to prison or a detention barrack, or a soldier under sentence of detention to a detention barrack.

(2) An order of the competent military authority shall be a sufficient authority for the transfer of a military prisoner from prison to a detention barrack, or vice versa, or from one prison or detention barrack to another prison or detention barrack, or for the transfer of a soldier undergoing detention from one detention barrack to another, or for the delivery into military custody of a military prisoner or a soldier undergoing detention.

(3) A military prisoner or a soldier undergoing detention may at any time, if his sentence is remitted, be released by order of the competent military authority.

(4) A military prisoner or a soldier undergoing detention may, during his conveyance from place to place, or when on board ship or otherwise, be subjected to such restraint as is necessary for his safe conduct and removal.

Treatment and classification of prisoners in civil prisons.

67.—(1) A military prisoner while in a civil prison shall be confined, kept to hard labour, and otherwise dealt with in the same manner as an ordinary prisoner under a like sentence of imprisonment.

(2) Where the hospital or place for reception of sick persons in a prison or a detention barrack is detached from the prison or detention barrack, a military prisoner or a soldier undergoing detention may be detained in that hospital or place, and conveyed to or from the same as circumstances require.

(3) Whereas it is expedient that a clear difference should be made between the treatment of prisoners convicted of breaches of discipline and the treatment of prisoners convicted of offences of an immoral, dishonest, shameful, or criminal character, or sentenced to be discharged from the service with ignominy, a Secretary of State shall from time to time make rules for the classification and treatment of such prisoners.

Commencement of Sentence and Interpretation of Provisions as to Punishment.

Commencement of sentence and interpretation of provisions as to punishments.

68.—(1) The term of penal servitude, imprisonment, or detention to which a person subject to military law is sentenced by a court-martial, whether the sentence has been revised or not, and whether the person is already undergoing sentence or not shall (save as otherwise expressly provided in this Act), be reckoned to commence on the day on which the original sentence and proceedings were signed by the president of the court-martial.

2ND SCH. *—cont.*

(2) For the purpose of the provisions of this Act relating to penal servitude, imprisonment and detention unless the context otherwise requires—

(*a*) The expression "military convict" means a person under sentence of penal servitude passed by a court-martial:

(*b*) The expression "military prisoner" means a person under sentence of imprisonment passed by a court-martial:

(*c*) The expression "civil custody" means the custody of the police or other lawful civil authority authorised to retain in custody civil prisoners, and includes confinement in a civil prison:

(*d*) The expression "military prison" means a building or part of a building set apart as such under this Act and includes (unless the Secretary of State otherwise directs) an air force prison:

(*e*) The expression "detention barrack" means a building or part of a building set apart as such under this Act, and includes (unless the Secretary of State otherwise directs) an air force detention barrack:

(*f*) The expression "civil prison" means any prison in the United Kingdom in which offenders sentenced by a civil court to imprisonment can for the time being be confined, and any prison in India or a colony in which European offenders so sentenced can for the time being be confined:

(*g*) The expression "penal servitude prison" means any prison or place in which a person sentenced to penal servitude by a civil court in the United Kingdom can for the time being be confined, either permanently or temporarily, and any prison or place in India or a colony in which persons sentenced to penal servitude by a civil court in India or the colony can for the time being be confined:

Provided that where there is no such prison or place in a colony the expression "penal servitude prison" shall, as respects that colony, mean a civil prison:

(*h*) The expression "competent military authority" means in relation to persons—

(i) in the United Kingdom, the Army Council, and any prescribed officer;

(ii) in India or a colony any prescribed officer;

(iii) in a foreign country, the officer commanding the force to which the person under sentence belonged at the time of his being sentenced, and any prescribed officer:

Provided that different officers may be so prescribed as the competent military authority for different purposes of the said provisions, and provision may be made by rules of procedure as to whether the competent military authority, in relation to any person under sentence, shall be the competent military authority in the place where the sentence was passed or the competent military authority in the place where that person may be.

PART II.

SECTIONS TO BE SUBSTITUTED FOR SS. 131 TO 135 OF THE ARMY ACT.

General Provisions as to Prisons and Detention Barracks.

Duty of governor of prison to receive prisoners, deserters and absentees without leave.

131.—(1) The governor of every prison in the United Kingdom shall receive and confine, until discharged or delivered over in due course of law—

(*a*) all prisoners sent to such prison in pursuance of this Act; and

(*b*) every person delivered into his custody as a deserter or absentee without leave by any person conveying him under legal authority on production of the warrant of a court of summary jurisdiction on which such deserter or absentee without leave has been taken or committed, or of some order from a Secretary of State which order shall continue in force until the deserter or absentee without leave has arrived at his destination.

(2) Every such governor shall also receive into his custody for a period not exceeding seven days any soldier in military custody upon delivery to him of a written order purporting to be signed by the commanding officer of such soldier.

(3) The provisions of this section with respect to the governor of a prison in the United Kingdom shall apply to a person having charge of any police station or other place in which prisoners may legally be confined.

Establishment and regulation of military prisons and detention barracks.

132.—(1) It shall be lawful for a Secretary of State, and in India for the Governor-General, to set apart any building or part of a building under the control of the Secretary of State or Governor-General as a military prison or detention barrack.

(2) It shall be lawful for a Secretary of State, and in India for the Governor-General, from time to time to make, alter, and repeal rules—

(*a*) for the government, management, and regulation of military prisons and detention barracks; and

(*b*) for the appointment and removal and powers of inspectors, visitors, governors, and officers thereof; and

2ND SCH. —*cont.*

(*c*) for the labour of military or other prisoners and soldiers undergoing detention therein, and for enabling such prisoners or soldiers to earn, by special industry and good conduct, a remission of portion of their sentence; and

(*d*) for the safe custody of such prisoners or soldiers and the maintenance of discipline among them, and the punishment by personal correction, restraint or otherwise of offences committed by such prisoners or soldiers:

Provided that—

(i) such rules shall not authorise corporal punishment to be inflicted for any offence, nor render the imprisonment or detention more severe than it is under the law in force for the time being in any public prison in England subject to the Prison Act, 1877; and

40 & 41 Vict. c. 21.
61 & 62 Vict. c. 41.
50 & 51 Vict. c. 71.

(ii) all the regulations made under the Prison Act, 1898, as to the duties of gaolers and medical officers and all regulations contained in the Coroners Act, 1887, as to the duties of coroners with respect to inquests in prisons and detention barracks, shall be contained in such rules, so far as the same can be made applicable.

The Secretary of State and Governor-General shall by rule under this subsection make special provision as to the treatment of military convicts under sentence for an offence committed on active service who, in pursuance of the provisions of this Act, are required to serve part of their sentences in a military prison.

28 & 29 Vict. c. 126.

(3) Rules under this section may apply to military prisons and detention barracks any enactments of the Prison Act, 1865, imposing punishments on any persons not prisoners.

(4) All rules made by a Secretary of State in pursuance of this section shall be laid before Parliament as soon as practicable after they are made.

Provisions as to military prisons and detention barracks on active service.

133. In any country in which operations against the enemy are being conducted, the powers of a Secretary of State under the last foregoing section with respect to military prisons and detention barracks shall be exerciseable by the officer commanding-in-chief in the field, and shall include a power of declaring any place to be a military prison or a detention barrack, and the limitations contained in that section on the power of making rules as to the punishment of prisoners and soldiers undergoing detention and as to the severity of imprisonment and detention shall not apply: Provided that nothing in this section, or in any rules made thereunder, shall authorise flogging or other corporal punishment to be inflicted for any offence.

Inquests on deaths in military prisons and detention barracks in India.

134.—(1) On all occasions of death by violence or attended with suspicious circumstances, in any military prison or detention barrack in India, an inquest shall be held to make inquiry into the cause of death.

(2) The commanding officer shall cause notice to be given to the nearest magistrate duly authorised to hold inquests, and such magistrate shall hold an inquest into the cause of any such death, in the manner and with the powers provided in the case of similar inquiries held under the law for the time being in force in India for regulating criminal procedure.

(3) Where there is no such magistrate available, the commanding officer shall convene a court of inquest which shall be convened and shall hold the inquest in such manner as may be prescribed.

Arrangements as to civil prisons in India or colony.

135. A Secretary of State may from time to time make arrangements with the Governor-General of India or the Governor of a colony for the reception in any prison in India or in such colony of prisoners under this Act and of deserters or absentees without leave from His Majesty's service, on payment of such sums as may be provided by the arrangement and the governor of any prison to which any such arrangement relates shall be under the same obligation as the governor of a prison in the United Kingdom to receive and detain such prisoners, deserters and absentees without leave, and the provisions of section one hundred and thirty-one of this Act shall apply accordingly with this modification, that the reference to orders from a Secretary of State shall be construed as including orders from the Governor-General of India or the Governor of the colony as the case may be.

PART III.

PROVISO TO BE INSERTED IN S. 44 OF THE ARMY ACT.

(1B) An offender under this Act shall not be subject to imprisonment or detention for more than two consecutive years, whether under one or more sentences.

CHAPTER 7.

An Act to amend the Bankruptcy Act, 1914.

[16th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendments of 4 & 5 Geo. 5. c. 59. s. 26.

1.—(1) So much of subsection (2) of section twenty-six of the Bankruptcy Act, 1914 (hereinafter referred to as the "principal Act"), as requires the Court to refuse the discharge of a bankrupt in all cases where he has committed a felony or misdemeanour connected with his bankruptcy unless for special reasons the Court otherwise determines, and so much of the said subsection as requires the Court, where on proof of any of the facts mentioned in subsection (3) of the said section the Court suspends the discharge of a bankrupt, to do so for a period of not less than two years, shall cease to have effect, and in the said subsection (2)—

(*a*) there shall be substituted for the words from the beginning of the first proviso down to the word "either" the words following, that is to say:—

> "Provided that where the bankrupt has "committed any misdemeanour under this "Act, or any enactment repealed by this "Act, or any other misdemeanour connected "with his bankruptcy or any felony con-"nected with his bankruptcy, or where in "any case any of the facts hereinafter "mentioned are proved, the Court shall "either—"; and

(*b*) there shall be substituted for paragraph (ii) of the said first proviso the following paragraph, that is to say:—

> "(ii) suspend the discharge for such period "as the Court thinks proper; or"

(2) There shall be substituted for paragraph (*h*) of subsection (3) of the said section twenty-six of the principal Act the following paragraph, that is to say:—

> "(*h*) That the bankrupt has brought on or "contributed to his bankruptcy by incurring "unjustifiable expense in bringing any frivolous "or vexatious action;"

Explanation of 4 & 5 Geo. 5. c. 59. s. 33.

2. For the removal of doubts it is hereby declared that the priority given by section thirty-three of the principal Act to the wages or salary of any clerk or servant in respect of services rendered to a bankrupt during four months before the date of the receiving order, not exceeding fifty pounds, applies to any such wages or salary as aforesaid whether or not earned wholly or in part by way of commission.

Amendment of 4 & 5 Geo. 5. c. 59. s. 39.

3. For section thirty-nine of the principal Act (which relates to second or subsequent bankruptcies) there shall be substituted the following section, that is to say:—

> "(1) Where a second or subsequent receiving "order is made against a bankrupt, or where an "order is made for the administration in bank-"ruptcy of the estate of a deceased bankrupt, then "for the purposes of any proceedings consequent "upon any such order, the trustee in the last "preceding bankruptcy shall be deemed to be a "creditor in respect of any unsatisfied balance of "the debts provable against the property of the "bankrupt in that bankruptcy.
>
> "(2) In the event of a second or subsequent "receiving order made against a bankrupt being "followed by an order adjudging him bankrupt, "or in the event of an order being made for the "administration in bankruptcy of the estate of "a deceased bankrupt, any property acquired "by him since he was last adjudged bankrupt, "which at the date when the subsequent petition "was presented had not been distributed amongst "the creditors in such last preceding bankruptcy, "shall (subject to any disposition thereof made "by the official receiver or trustee in that bank-"ruptcy, without knowledge of the presentation

" of the subsequent petition, and subject to the " provisions of section forty-seven of this Act) " vest in the trustee in the subsequent bankruptcy or administration in bankruptcy as the " case may be.

" (3) Where the trustee in any bankruptcy " receives notice of a subsequent petition in " bankruptcy against the bankrupt or after his " decease of a petition for the administration " of his estate in bankruptcy, the trustee shall " hold any property then in his possession which " has been acquired by the bankrupt since he " was adjudged bankrupt until the subsequent " petition has been disposed of, and, if on the " subsequent petition an order of adjudication or " an order for the administration of the estate " in bankruptcy is made, he shall transfer all " such property or the proceeds thereof (after " deducting his costs and expenses) to the trustee " in the subsequent bankruptcy or administration " in bankruptcy, as the case may be."

Recovery of property transferred without knowledge of receiving order.

4. Where any money or property of a bankrupt has, on or after the date of the receiving order but before notice thereof has been gazetted in the prescribed manner, been paid or transferred by a person having possession of it to some other person, and the payment or transfer is under the provisions of the principal Act void as against the trustee in the bankruptcy, then, if the person by whom the payment or transfer was made proves that when it was made he had not had notice of the receiving order, any right of recovery which the trustee may have against him in respect of the money or property shall not be enforced by any legal proceedings except where and in so far as the court is satisfied that it is not reasonably practicable for the trustee to recover in respect of the money or property or of some part thereof from the person to whom it was paid or transferred.

Amendments of 4 & 5 Geo. 5. c. 59. s. 154.

5.—(1) Section one hundred and fifty-four of the principal Act (which provides among other things that any person who has been adjudged bankrupt or in respect of whose estate a receiving order has been made, shall be guilty of a misdemeanour if he commits any of the acts or omissions mentioned in paragraphs (4), (5), (9), (10), (11) and (12), of the said section within six months next before the presentation of the bankruptcy petition by or against him, or if he commits any of the acts mentioned in paragraphs (13), (14) and (15) of the said section within six months next before the presentation of the bankruptcy petition by or against him, or, in the case of a receiving order made under section one hundred and seven of the principal Act, before the date of the order), shall have effect as if in the said paragraphs (4), (5), (9), (10), (11), (12), (13), (14) and (15) thereof, the words "twelve months" were substituted for the words "six months" wherever those words occur.

(2) The said section one hundred and fifty-four shall have effect as though the following subsections were inserted therein, that is to say:—

> "(2) Any person guilty of a misdemeanour in " the cases mentioned respectively in paragraphs " (13), (14) and (15) of the last foregoing sub- " section shall be liable on conviction on indict- " ment to penal servitude for any term not " exceeding five years, or, on summary conviction " to imprisonment for a term not exceeding " twelve months.
>
> "(3) Where any person pawns, pledges or " disposes of any property in circumstances which " amount to a misdemeanour under paragraph (15) " of subsection (1) of this section, every person " who takes in pawn or pledge or otherwise " receives the property knowing it to be pawned, " pledged or disposed of in such circumstances " as aforesaid shall be guilty of a misdemeanour, " and on conviction thereof liable to be punished " in the same way as if he had received the " property knowing it to have been obtained in " circumstances amounting to a misdemeanour."

Explanation of 4 & 5 Geo. 5. c. 59. s. 156.

6. For the removal of doubts it is hereby declared that if any person who has been adjudged bankrupt, or in respect of whose estate a receiving order has been made, has with intent to defraud his creditors or any of them caused or connived at the levying of any execution against his property he shall for the purposes of paragraph (*b*) of section one hundred and fifty-six of the principal Act be deemed to have made a transfer of or charge on his property, and shall accordingly be guilty of a misdemeanour.

Amendments of 4 & 5 Geo. 5. c. 59. s. 158.

7. As from the expiration of a period of two years after the commencement of this Act, section one hundred and fifty-eight of the principal Act (which relates to the failure of bankrupts to keep proper accounts) shall have effect as if—

(*a*) there were substituted for subsection (1) thereof the following subsection, that is to say:—

"(1) Any person who has been adjudged " bankrupt or in respect of whose estate a " receiving order has been made shall be " guilty of a misdemeanour, if, having been " engaged in any trade or business during " any period in the two years immediately " preceding the date of the presentation " of the bankruptcy petition, he has not " kept proper books of account throughout " that period and throughout any further " period in which he was so engaged between " the date of the presentation of the petition " and the date of the receiving order, or " has not preserved all books of account so " kept:

"Provided that a person who has not kept " or has not preserved such books of account " shall not be convicted of an offence under " this section—

"(*a*) if his unsecured liabilities at the date " of the receiving order did not exceed, in " the case of a person who has not on any " previous occasion been adjudged bank-" rupt or made a composition or arrange-" ment with his creditors five hundred " pounds, or in any other case one hundred " pounds; or

"(*b*) if he proves that in the circum-" stances in which he traded or carried " on business the omission was honest and " excusable."

; and

(*b*) there were substituted for subsection (3) thereof the following subsection, that is to say:—

> "(3) For the purposes of this section, a "person shall be deemed not to have kept "proper books of account if he has not kept "such books or accounts as are necessary to "exhibit or explain his transactions and "financial position in his trade or business, "including a book or books containing entries "from day to day in sufficient detail of all "cash received and cash paid, and, where the "trade or business has involved dealings in "goods, statements of annual stocktakings, "and (except in the case of goods sold by "way of retail trade to the actual consumer) "accounts of all goods sold and purchased "showing the buyers and sellers thereof "in sufficient detail to enable the goods "and the buyers and sellers thereof to be "identified."

Amendment of 4 & 5 Geo. 5. c. 59. s. 161.

8. It shall not in any case be obligatory on the court to make an order under section one hundred and sixty-one of the principal Act (which requires the court in the circumstances therein mentioned to order the prosecution of a debtor), unless it appears to the court that the circumstances are such as to render a prosecution desirable; and accordingly the said section shall have effect as if there were therein inserted after the word "convicted" the words "and that the circumstances are "such as to render a prosecution desirable," and the proviso to the said section is hereby repealed.

Repeal of 4 & 5 Geo. 5. c. 59. s. 163.

9. Section one hundred and sixty-three of the principal Act (which empowers a court to commit for trial any person whom the court has ground to believe to have committed a statutory misdemeanour in cases of bankruptcy) is hereby repealed.

Amendment of 4 & 5 Geo. 5. c. 59. s. 164.

10. Section one hundred and sixty-four of the principal Act (which in subsection (1) thereof provides, among other things, that a person guilty of an offence declared to be a felony or misdemeanour under that Act in respect of which no special penalty is imposed by that Act shall be liable on summary conviction to imprisonment for a term not exceeding six months) shall have effect as if in the said subsection (1) thereof the words "twelve months" were substituted for the words "six months."

Amendment of 4 & 5 Geo. 5. c. 59. Sched. 2.

11. Rule 5 of the Second Schedule to the principal Act (which requires the affidavit proving a debt to state whether or not the creditor is a secured creditor) shall have effect as if there were inserted at the end thereof the following provision, that is to say:—

> "and if it is found at any time that the affidavit "made by or on behalf of a secured creditor "has omitted to state that he is a secured "creditor, the secured creditor shall surrender "his security to the official receiver or trustee "for the general benefit of the creditors unless "the Court on application is satisfied that the "omission has arisen from inadvertence, and "in that case the Court may allow the affidavit "to be amended upon such terms as to the "repayment of any dividends or otherwise as "the Court may consider to be just."

Short title, citation and construction.

12.—(1) This Act may be cited as the Bankruptcy (Amendment) Act, 1926, and this Act and the principal Act may be cited together as the Bankruptcy Acts, 1914 and 1926.

(2) Except where the context otherwise requires, references in this Act to the principal Act shall be construed as references to that Act as amended by this Act, and this Act shall be construed as one with the principal Act.

CHAPTER 8.

An Act to amend the law with respect to measuring instruments, and with respect to the power to charge fees in connection with the testing of weighing and measuring apparatus.

[16th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Definition of measuring instrument. 52 & 53 Vict. c. 21.

1. The definition of "measuring instrument" contained in section thirty-five of the Weights and Measures Act, 1889, shall be extended so as to include any instrument for the measuring of superficial area, or for measurement by counting.

Regulations as to measuring instruments. 4 Edw. 7. c. 28.

2. The power of the Board of Trade to make general regulations under section five of the Weights and Measures Act, 1904, shall include power to apply to any such measuring instruments used for trade as are specified in the regulations any of the provisions, including penal provisions, of the Weights and Measures Acts, 1878 to 1904, with respect to weights, measures, or weighing instruments, and to make such consequential or supplemental provisions as appear necessary for giving full effect to the regulations.

Power to charge fees in connection with testing, &c., of weighing and measuring apparatus. 13 Geo. 5. c. 4.

3.—(1) Any power conferred by the Weights and Measures Acts, 1878 to 1904, or the Fees (Increase) Act, 1923, on the Board of Trade, or on inspectors of weights and measures, to charge fees in respect of the testing, examination, comparison or verification of any weighing or measuring apparatus shall include and be deemed always to have included power to charge fees in respect of the matters aforesaid whether or not the apparatus is found correct or is stamped.

(2) The power of His Majesty under section nine of the Weights and Measures Act, 1904, of specifying by Order in Council new fees to be paid in respect of the verification and stamping of weights, measures, and weighing and measuring instruments shall include and be deemed always to have included the power of specifying fees to be paid whether or not the weighing or measuring apparatus is found correct or is stamped.

(3) In this section the expression "weighing or measuring apparatus" includes weights, measures, weighing and measuring instruments, local standards and other standards.

Repeal of 9 & 10 Geo. 5. c. 29.

4. The Weights and Measures (Leather Measurement) Act, 1919, is hereby repealed:

Provided that any regulations made and any certificates given under the powers conferred by that Act shall continue in force and shall have effect as though made or given under the Weights and Measures Acts, 1878 to 1904, as amended by this Act.

Short title, citation and extent.

5.—(1) This Act may be cited as the Weights and Measures (Amendment) Act, 1926, and shall be construed as one with the Weights and Measures Acts, 1878 to 1904, and those Acts and this Act may be cited together as the Weights and Measures Acts, 1878 to 1926.

(2) This Act shall not apply to Northern Ireland.

CHAPTER 9.

An Act to make provision for reducing in respect of certain services the charges on public funds and for increasing, by means of the payment into the Exchequer of certain sums and otherwise, the funds available for meeting such charges, and to amend accordingly the law relating to national health insurance, unemployment insurance, the registration of electors and the holding of elections, education, bankruptcy and companies winding-up fees and certain other fees, and postmarks, and for purposes related or incidental to the matters aforesaid.

[16th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

National Health Insurance.

Amendment as to proportion of contributions payable

1.—(1) Section four of the National Health Insurance Act, 1924 (in this Part of this Act referred to as "the principal Act"), (which provides for contributions by insured persons, employers and the Treasury), shall be deemed as from the first day of January, nineteen hundred and twenty-six, to have had effect as if for the words from "as to seven-ninths thereof" to the end of the section there were substituted the words "in the case of men as to six-sevenths thereof, and in "the case of women as to four-fifths thereof, from "contributions made by or in respect of the contributors "by themselves or their employers and as to the balance "thereof from moneys provided by Parliament," and for the purpose of determining the amount to be derived from moneys provided by Parliament in respect of the cost of additional benefits administered by a society, other than additional benefits consisting of increases of sickness, disablement or maternity benefit, the amount of that cost shall be apportioned between men and women in such manner as may be prescribed by regulations made by the Minister of Health (in this Part of this Act referred to as "the Minister") with the consent of the Treasury.

respectively by insured persons and employers and by the Treasury. 14 & 15 Geo. 5. c. 38.

(2) Nothing in this section shall affect the amount of the sums which are to be credited to societies out of moneys provided by Parliament under the proviso to subsection (3) of section one of the National Health Insurance Act, 1922, (which makes provision as to the cost of medical benefit and administration expenses).

12 & 13 Geo. 5. c. 38.

Amendment of s. 83 of principal Act.

2.—(1) Subject to the provisions of section eighty-three of the principal Act there may, out of the funds out of which benefits are payable under the principal Act, be applied for the purpose of meeting the cost of medical benefit, the administration expenses of insurance committees and any expenses incurred by the Minister in connection with the administration of benefits a sum at such yearly rate as may be prescribed, but not exceeding thirteen shillings per year in respect of each of the total number (calculated in the prescribed manner) of the persons who are entitled to medical benefit as being or having been members of an approved society, and there shall be paid for each year to insurance committees on account of the cost of medical benefit and their administration expenses, and to the Minister on account of expenses incurred by him in respect of the administration of benefits, sums not exceeding in the aggregate the sum applicable as aforesaid, and not exceeding as respects the administration expenses of insurance committees the sum of sixpence, and as respects the expenses of the Minister the sum of threepence, in respect of each of the total number aforesaid:

Provided that, if the aggregate sum paid for any year to insurance committees and the Minister under this section in respect of each of the total number aforesaid is less than the sum applicable as aforesaid in respect of each of the said total number, the balance shall be carried forward and be treated as being applicable as aforesaid in any subsequent year.

(2) For the purpose of meeting any additional expenditure which may be incurred in the provision of medical benefit in Wales by reason of sparsity of population or difficulty of means of communication, provision may be made by regulations for the payment out of the National Health Insurance Fund to the Welsh National Health Insurance Fund of such sum as may be prescribed.

(3) This section in its application to Scotland shall have effect subject to the following modifications—

(*a*) in addition to the payments to be made under subsection (1) of this section out of the sum applicable as provided by that subsection, there may be paid thereout any expenses of the Scottish Board of Health in connection with the provision of a medical service for insured persons in such districts of Scotland (other than the highlands and islands within the meaning of the Highlands and Islands (Medical Service) Grant Act, 1913) as may be determined by the Board to be necessitous, and references in the said subsection (1) as applied to Scotland to expenses incurred by the Board shall be construed as including the expenses aforesaid; and

3 & 4 Geo. 5. c. 26.

(*b*) the maximum sums as respects the administration expenses of insurance committees and the expenses of the Board shall be such sums as may respectively be prescribed.

(4) This section shall come into operation on the first day of January, nineteen hundred and twenty-seven.

Application of Reserve Suspense

3.—(1) If on the valuation of an approved society or of a branch of an approved society it appears to the valuer that a deficiency will be disclosed, he shall forthwith report the case to the Government Actuary, and on receiving any such report the Government Actuary shall proceed to estimate the amount by which the financial position of the society or branch has been made worse in consequence of the provisions of this Part of this Act and shall, as soon as he has estimated that amount, issue a certificate specifying what that amount is, or, if that amount is greater than the amount of the apprehended deficiency, what the amount of that deficiency is, and shall transmit the certificate to the Minister.

Fund and Central Fund towards making good deficiencies due to provisions of this Part of this Act.

(2) The Minister on receiving a certificate under this section may, if he thinks proper so to do having regard to all the circumstances of the case, cause a sum equal to the amount specified in the certificate to be credited to the society or branch out of any balance standing to the credit of the Reserve Suspense Fund, after due provision has been made for the payment of any sum charged on that Fund under or by virtue of any enactment, and if there is no such balance standing to the credit of that Fund or the balance is insufficient for the purpose of providing the whole amount specified in the certificate, the Minister may transmit the certificate with a statement as to the amount which cannot be provided out of the said Fund, to the Joint Committee, and that Committee shall thereupon cause that amount to be credited to the society out of the Central Fund.

(3) The Minister may, instead of proceeding as aforesaid, transmit to the Joint Committee any certificate received by him under this section, and the Committee, if satisfied that the apprehended deficiency is attributable in whole or in part to the provisions of this Part of this Act, shall award to the society or branch such relief as might have been granted under the preceding subsection, or such part of that relief as the Joint Committee, having regard to all the circumstances of the case, think proper, and the Minister and Committee shall thereupon take the necessary steps for causing the proper amount to be credited to the society or branch.

(4) Subsection (2) of section seventy-seven of the principal Act (which provides for the investigation by an independent body of claims for relief out of the Central Fund), shall, subject to the necessary modifications,

apply for the purpose of determining whether, and to what extent, relief ought to be granted under this section.

(5) Any amount to be credited under this section to a society or branch of a society shall be treated as having formed part of the assets of the society or branch at the date of the valuation.

Amendment of s. 68 of principal Act.

4. Such part of the sums which under subsection (2) of section sixty-eight of the principal Act are to be carried to the Central Fund as may be required for the purposes specified in this subsection, instead of being carried to that Fund, shall be applied for those purposes as follows:—

(*a*) There shall, out of the said sums, in the first place, be credited to approved societies in accordance with a scheme to be made by the National Health Insurance Joint Committee with the approval of the Treasury, such part of those sums as the Committee may direct, and any sums so credited shall be applied by the society, in such manner as the scheme may provide, for the purpose of preventing such members of the society as are in arrears from being or continuing to be suspended from benefit:

(*b*) The said sums shall, in the second place, be applied in defraying such proportion as is not derived from moneys provided by Parliament of any liability outstanding on the thirty-first day of December, nineteen hundred and twenty-six (after exhausting all sums applicable thereto under section one of the National Health Insurance (Cost of Medical Benefit) Act, 1924), in respect of the cost of drugs, medicines and appliances supplied as part of medical benefit:

14 & 15 Geo. 5. c. 10.

(*c*) In the third place, the said sums shall be applied from time to time in defraying the amount as estimated by the Treasury of such part of the cost incurred by Government Departments in connection with the provision of insurance stamps and cards and the sale of insurance stamps as may be attributable to national health insurance.

Transfer from Navy, Army and Air Force Insurance Fund to Exchequer.

5.—(1) There shall, in accordance with directions of the Treasury, be transferred to the Exchequer from the Navy, Army and Air Force Insurance Fund constituted under the principal Act the sum of one million one hundred thousand pounds.

(2) Section fifty-nine of the principal Act shall have effect as though the words "other than additional benefits" in paragraph (*e*) of subsection (1) thereof were omitted therefrom, and, subject to the approval of the Treasury, provision may be made by regulations for granting out of the Fund to men of the forces to whom the said paragraph (*e*) applies such additional benefits as may from time to time be prescribed having regard to the liabilities and assets of the Fund, as though the Fund were an approved society and the discharged men had been members of the society since the date of their entry or enlistment.

(3) Provision may be made by regulations for entitling men of the forces who before the commencement of this Act joined or thereafter join approved societies either during service or within the prescribed period after discharge to participate (subject to such conditions as may be prescribed), in additional benefits provided by those societies, and for prescribing special transfer values applicable to such men.

Consequential amendments of enactments relating to national health insurance, and variation of reserve values.

6.—(1) The amendments specified in the second column of the First Schedule to this Act, which are consequential on other provisions contained in this Part of this Act, shall be made in the provisions of the principal Act and the other enactments relating to national health insurance which are set out in the first column of that Schedule.

(2) The amendments specified in Part I. of the said First Schedule shall be deemed to have had effect as from the first day of January, nineteen hundred and twenty-six, and the amendments specified in Part II. of the said Schedule shall have effect as from the first day of January, nineteen hundred and twenty-seven.

(3) Provision may be made by regulations for such variation of reserve values as appears necessary in consequence of the provisions of this Part of this Act.

Short title, construction and application of Part I.

7.—(1) This Part of this Act may be cited as the National Health Insurance Act, 1926, and shall be construed as one with the principal Act, and that Act and this Part of this Act may be cited together as the National Health Insurance Acts, 1924 and 1926.

(2) This Part of this Act shall not, except as hereinafter provided, apply to Northern Ireland:

Provided that, if provision substantially corresponding to the provision contained in this Part of this Act for making good out of the Reserve Suspense Fund deficiencies due to the provisions of this Part of this Act is made by the Parliament of Northern Ireland, His Majesty may by Order in Council apply for the purpose of deficiencies in connection with approved societies or branches of approved societies in Northern Ireland so much of section three of this Act as relates to the crediting of amounts out of the Central Fund.

PART II.

UNEMPLOYMENT INSURANCE.

Amendment of s. 4 of Unemployment Insurance Act, 1925, 15 & 16 Geo. 5. c. 69.

8.—(1) As from and after the fifth day of April, nineteen hundred and twenty-six, until the expiration of the extended period as defined in section four of the Unemployment Insurance Act, 1925, the contribution payable under the Unemployment Insurance Acts, 1920 to 1925, out of moneys provided by Parliament shall be a contribution of such an amount as may be determined by the Treasury to be approximately equivalent, having regard to the estimated proportions in which contributions are payable in respect of men, women, boys and girls, to the sum which would be produced by weekly contributions paid in respect of insured persons and exempt persons at the respective rates set out in the Second Schedule to this Act.

(2) Paragraph (*c*) of subsection (1) of the said section four (except in so far as it relates to the meaning of the expression "the 1925 debt") is hereby repealed as from the first day of January, nineteen hundred and twenty-six.

(3) This Part of this Act shall not apply to Northern Ireland.

(4) This Part of this Act and the Unemployment Insurance Acts, 1920 to 1925, may be cited together as the Unemployment Insurance Acts, 1920 to 1926.

PART III.

REPRESENTATION OF THE PEOPLE.

Substitution of one register a year for two and reduction of qualifying period.
7 & 8 Geo. 5. c. 64.
11 & 12 Geo. 5. c. 34.
12 & 13 Geo. 5. c. 12.

9.—(1) One register only of electors shall be made in each year and the qualifying period shall be reduced from six months to three months.

(2) For the purpose of giving effect to the foregoing provision, the Representation of the People Acts, 1918 to 1922, shall have effect subject to the following modifications, that is to say:—

(*a*) All provisions applicable to the autumn register shall apply as respects the yearly register, except that the yearly register shall remain in force until the fifteenth day of October in the next following year, and the provisions as to the preparation of two registers in each year and as to the spring register shall cease to have effect;

(*b*) The provisions mentioned in the first column of the Third Schedule to this Act shall be amended in the manner shown in the second column of the said Schedule;

and to such other modifications as may be necessary for the purposes aforesaid.

(3) It shall be lawful for His Majesty by Order in Council to make such adaptations in the provisions of any Act (including any local Act or any Act to confirm a Provisional Order) as may seem to Him necessary to make those provisions conform with the provisions of this Part of this Act.

(4) Nothing in this section shall affect the preparation of the autumn register of nineteen hundred and twenty-six, and that register shall continue in force until the fifteenth day of October, nineteen hundred and twenty-seven.

Polls in Orkney and Zetland.
7 & 8 Geo. 5. c. 64.

10. Paragraph (14) of section forty-three of the Representation of the People Act, 1918 (which provides that the poll at any general or bye-election for the constituency of Orkney and Zetland shall remain open for two consecutive days), is hereby repealed.

Short title, construction, and extent of Part III.

11.—(1) This Part of this Act may be cited as the Representation of the People (Economy Provisions) Act, 1926, and shall be construed as one with the Representation of the People Acts, 1918 to 1922, and those Acts and this Part of this Act may be cited together as the Representation of the People Acts, 1918 to 1926.

(2) This Part of this Act shall not extend to Northern Ireland.

PART IV.

EDUCATION.

Operation of s. 118 of Education Act, 1921. 11 & 12 Geo. 5. c. 51.

12.—(1) For the purpose of removing doubts it is hereby declared that the Board of Education shall not, for the purpose of subsection (2) of section one hundred and eighteen of the Education Act, 1921, be bound to recognise as expenditure in aid of which parliamentary grants should be made to a local education authority any expenditure which in the opinion of the Board is excessive having regard to the circumstances of the area of the authority and the general standard of expenditure on corresponding services in other areas, or which in the opinion of the Board unreasonably exceeds any estimate of expenditure made by the authority.

(2) The grants payable to such local education authorities for higher education as do not provide training colleges may be reduced in any year, in such manner as may be provided by regulations made by the Board of Education, by a sum not exceeding seventy thousand pounds in the aggregate, notwithstanding that the total sums payable out of moneys provided by Parliament and out of the Local Taxation Account to those authorities, or any of them, in any year in aid of higher education would thereby be reduced to less than one-half of the net expenditure thereon of the authorities recognised by the Board for the purposes of subsection (2) of the said section one hundred and eighteen.

The expression "training colleges" in this subsection does not include training colleges in which only domestic subjects are taught.

Any regulations made by the Board of Education under this subsection shall be laid before Parliament as soon as may be after they are made.

PART V.

BANKRUPTCY AND COMPANIES WINDING-UP FEES.

Establishment of bankruptcy and companies winding-up fees, account and application thereof.
4 & 5 Geo. 5. c. 59.
8 Edw. 7. c. 69.

13.—(1) The dividends on investments under section ninety of the Bankruptcy Act, 1914 (in this Part of this Act referred to as "the bankruptcy investments dividends") and the fees and percentages charged for or in respect of proceedings under that Act (in this Part of this Act referred to as "the bankruptcy fees"), and the dividends on investments under section two hundred and thirty of the Companies (Consolidation) Act, 1908 (in this Part of this Act referred to as "the companies investments dividends") and the fees in respect of proceedings under that Act in relation to the winding-up of companies in England (in this Part of this Act referred to as "the companies winding-up fees") shall be paid into an account to be called "The Bankruptcy and Companies Winding-up (Fees) Account."

(2) All sums which at the date of the commencement of this Part of this Act are standing to the credit of any of the following accounts, namely, the accounts to which there have respectively been paid the bankruptcy investments dividends, the bankruptcy fees, the companies investments dividends and the companies winding-up fees, shall be forthwith transferred to the Bankruptcy and Companies Winding-up (Fees) Account.

(3) The Treasury may in each financial year, out of the moneys standing to the credit of the Bankruptcy and Companies Winding-up (Fees) Account—

(*a*) in aid of the moneys voted by Parliament for the salaries and expenses of the Board of Trade, issue to the Board any sums which may be necessary to meet the charges estimated by the Board in respect of salaries and expenses either under the Bankruptcy Act, 1914, or under the Companies (Consolidation) Act, 1908, in relation to the winding-up of companies in England; and

(*b*) pay into the Exchequer a sum equal to the amount which in the last preceding financial year fell to be defrayed out of any other votes of Parliament in respect of any such salaries and expenses.

(4) An amount equal to the sums transferred under the foregoing provisions of this section to the Bankruptcy and Companies Winding-up (Fees) Account, less the sum of one hundred thousand pounds, shall, as soon as may be after the passing of this Act, be paid out of that Account into the Exchequer in such manner as the Treasury direct, and thereafter the amount standing to the credit of that Account on the thirty-first day of March in any financial year shall, after deducting therefrom an amount equal to one-third of the aggregate amount issued out of the said Account in that year under the provisions of the last preceding subsection, be paid into the Exchequer in such manner as the Treasury direct.

Provision as to fixing of fees.

14. In fixing the scales of the bankruptcy fees and of the companies winding-up fees, regard shall be had to the sum which it is anticipated will on an average be from time to time required to meet the aggregate amount of the charges in respect of salaries and expenses under the Bankruptcy Act, 1914, and under the Companies (Consolidation) Act, 1908, in relation to the winding-up of companies in England.

Annual account of bankruptcy and winding-up proceedings.

15.—(1) The Treasury shall in respect of each financial year cause to be prepared and laid before both Houses of Parliament within one month after the end of that year, or, if Parliament is not then sitting, within one month after the next meeting of Parliament, an account in such form and containing such particulars as the Treasury, with the concurrence of the Lord Chancellor, from time to time direct, showing the receipts and expenditure during that year in respect of proceedings under the Bankruptcy Act, 1914, and proceedings in relation to the winding-up of companies in England.

(2) The accounts of the Board of Trade under the Bankruptcy Act, 1914, and in relation to the winding-up of companies in England shall be audited in such manner as the Treasury direct, and for the purpose of the account to be laid before Parliament under this section the Board shall make such returns and give such information as the Treasury may direct.

16. The foregoing provisions of this Part of this Act shall have effect as if references therein to bankruptcy fees and the account to which they have been paid, and to salaries, expenses and proceedings under the Bankruptcy Act, 1914, included references to any fees to be taken under the Deeds of Arrangement Act, 1914 (not being fees to be taken in the Supreme Court in respect of matters arising under that Act), and to the account into which any fees taken under that Act have been paid, and to salaries, expenses and proceedings under that Act.

Application of Part V. to fees, &c., under Deeds of Arrangement Act, 1914. 4 & 5 Geo. 5. c. 47.

Part VI.

Miscellaneous and General.

17. For the purpose of removing doubts it is hereby declared that the marks to be used by the Postmaster-General for the purpose of cancelling stamps used for the payment of the postage chargeable on postal packets may consist of such words or devices as the Postmaster-General may in his discretion think proper, including words or devices constituting advertisements in respect of the use of which as postmarks payment is made by any persons to the Postmaster-General.

Provision as to marks to be used for cancelling postage stamps.

18. The amount of the fees to be charged under the Merchant Shipping Acts, 1894 to 1923, shall be so fixed, and from time to time be so readjusted, that the aggregate amount produced by those fees as from the first day of April, nineteen hundred and twenty-three, up to any date shall be approximately equal to one-half of the amount certified from time to time by the Board of Trade to be the aggregate cost as from the first day of April aforesaid up to that date of the administration of the services in respect of which the fees are payable.

Fees under Merchant Shipping Acts.

19.—(1) This Act may be cited as the Economy (Miscellaneous Provisions) Act, 1926.

Short title and repeal.

(2) The enactments set out in the Fourth Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

SCHEDULES.

Section 6.

FIRST SCHEDULE.

CONSEQUENTIAL AMENDMENTS OF ENACTMENTS RELATING TO NATIONAL HEALTH INSURANCE.

PART I.

Enactment to be amended.	Amendment.
National Health Insurance (Cost of Medical Benefit) Act, 1924—	
Section 1 (2) - - -	For the words "of seven-ninths" where they occur in paragraph (*a*) and paragraph (*b*) of subsection (2) there shall be substituted the words "in the case of a man of six-sevenths, and in the case of a woman of four-fifths."
National Health Insurance Act, 1924—	
Section 12 (6) - - -	The words "two-ninths" shall be omitted, and after "thereof" there shall be inserted the words "which under the provisions of section four of this Act as amended by any subsequent enactment is required to be derived from moneys provided by Parliament."
Section 59 (1) (*e*) (ii) -	"One-seventh" shall be substituted for "two-ninths."
Section 67 (1), as amended by paragraphs 4 and 5 of Part I. of the Fourth Schedule to the Widows', Orphans' and Old Age Contributory Pensions Act, 1925.	The sums to be retained out of each weekly contribution shall be in the case of a man one penny and one-tenth of a penny instead of one penny and five-ninths of a penny, and in the case of a woman four-fifths of a penny instead of one penny and three-tenths of a penny.

Enactment to be amended.	Amendment.
National Health Insurance Act, 1924—	
	The sums to be applied towards discharging the liabilities of the Minister to approved societies in respect of reserve values shall be in the case of a man seventeen-twentieths of a penny instead of one penny, and in the case of a woman eleven-twentieths of a penny instead of nine-tenths of a penny.
	The sum to be carried to the Central Fund shall be in the case of both men and women one-sixteenth of a penny, and the sum to be carried to the Contingencies Fund shall be in the case of both men and women three-sixteenths of a penny.
Section 68 (1) - - -	"One-fourth" shall be substituted for "one-eighth" in both places where those words occur.
Part II.	
Section 5 (2) - - -	"Threepence" shall be substituted for "twopence."
Section 24 (2) (ii) - -	For "nine shillings and six-"pence" there shall be substituted the words "such sum "as may be specified by the "Minister as representing the "annual cost at the time of "medical treatment and "attendance (including "drugs, medicines and appli-"ances)."
Section 57 (1), as amended by paragraph 3 of Part I. of the Fourth Schedule to the Widows', Orphans' and Old Age Contributory Pensions Act, 1925.	The sum of threepence shall be substituted for the sum of threepence halfpenny as the sum to be paid to the Minister of Health by the Admiralty, the Army Council and the Air

1st Sch. —*cont.*

Enactment to be amended.	Amendment.
National Health Insurance Act, 1924—	
	Council respectively in respect of each contribution week or part of a contribution week for which a seaman, marine, soldier or airman, being a member of an approved society, receives pay.
Section 58 (3) - - -	"Sixpence" shall be substituted for "fivepence half-"penny."
Section 59 (1) (*a*) - -	"Sixpence" shall be substituted for "fivepence halfpenny."
Section 62 (3) - - -	"Twopence halfpenny" shall be substituted for "two-pence" and "three-fifths" shall be substituted for "three-sevenths."

Section 8.

SECOND SCHEDULE.

Rates of Contribution on which the Amount of the Contribution payable under the Enactments relating to Unemployment Insurance out of Moneys provided by Parliament is to be calculated.

Ordinary Rates.

	s.	*d.*
In respect of a man - - - -	0	6
In respect of a woman - - - -	0	4½
In the case of Persons under eighteen.		
In respect of a boy - - - -	0	3
In respect of a girl - - - -	0	2¼
In the case of Exempt Persons.		
In respect of a man - - - -	0	2½
In respect of a woman - - - -	0	2¼
In respect of a boy - - - -	0	1¼
In respect of a girl - - - -	0	1⅛

THIRD SCHEDULE.

Section 9.

Amendments of the Representation of the People Acts, 1918 to 1922.

Col. 1.	Col. 2.
The Representation of the People Act, 1918 (7 & 8 Geo. 5. c. 64).	
Section 6 - -	The following section shall be substituted :— "The qualifying period shall be three months ending on the first day of June and including that day : Provided that in the application of this section to a person who is a naval or military voter, or who has been serving as a member of the naval, military, or air forces of the Crown at any time during the said three months and has ceased so to serve, one month shall be substituted for three months as the qualifying period."
Section 7 - -	For the words "for part of the qualifying period not exceeding four months in the whole" there shall be substituted the words "for part of the qualifying period not exceeding two months in the whole, or where the occupation of the person giving the permission commenced more than six months before the last day of the qualifying period, for not more than four months in the whole during that period of six months."
Section 43 - -	The following paragraph shall be inserted after paragraph (4) :— (4A) In the application of the section of this Act relating to qualifying period, the fifteenth day of June shall be substituted for the first day of June. Paragraph (18) shall be repealed.

3rd Sch. —*cont.*

Col. 1.	Col. 2.
The Representation of the People Act, 1921 (11 & 12 Geo. 5. c. 34).	
Section 1 - -	After the words "qualifying period" there shall be inserted the words "not "exceeding two months at any one time "or if the residence commenced more "than six months before the last day of "the qualifying period during a part of "those six months."
The Representation of the People Act, 1922 (12 & 13 Geo. 5. c. 12).	
Schedule (Part I.)	The dates specified below shall, as respects the several matters so specified be substituted respectively for the dates specified in the last column of Part I. :—

End of qualifying period	1st June.
Publication of electors lists - - - -	15th July.
Last day for notice of objections to electors lists - - - -	31st July.
Last day for claims -	7th August.
Last day for claims as absent voters - -	18th August.
Last day for notification of desire by naval or military voter not to be placed on absent voters list - - -	18th August.
Publication of list of objections to electors lists - - - -	13th August.
Publication of lists of claimants - - -	13th August.
Last day for objections to claimants - -	18th August.
Publication of lists of objections to claimants	18th August.

3rd Sch. —*cont.*

Col. 1.	Col. 2.
The Representation of the People Act, 1922 (12 & 13 Geo. 5. c. 12)—*continued.*	
Schedule (Part II.)	The dates specified below shall as respects the several matters so specified be substituted respectively for the dates specified in the last column of Part II. :—

Publication of electors lists - - - -	8th August.
Last day for notice of objections to electors lists - - - -	22nd August.
Last day for claims -	22nd August.
Last day for claims as absent voters - -	1st September.
Last day for notification of desire by naval or military voter not to be placed on absent voters list - -	1st September.
Publication of list of objections to electors lists - - - -	29th August.
Publication of lists of claimants - - -	29th August.
Last day for objections to claimants - -	3rd September.
Publication of list of objections to claimants	3rd September.

Section 19.

FOURTH SCHEDULE.

Enactments repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 69.	The Companies (Consolidation) Act, 1908.	Subsection (3) of section two hundred and thirty, sections two hundred and thirty-two and two hundred and thirty-four, and in subsection (3) of section two hundred and thirty-seven the words "and " to what account they are " to be paid."
4 & 5 Geo. 5. c. 59.	The Bankruptcy Act, 1914.	Subsection (5) of section ninety, section ninety-one, in subsection (1) of section one hundred and thirty-three the words "and to what account " they shall be paid," and section one hundred and thirty-five.
12 & 13 Geo. 5. c. 7.	The Unemployment Insurance Act, 1922.	Section two so far as unrepealed and Part II. of Schedule 1.
13 & 14 Geo. 5. c. 4.	The Fees (Increase) Act, 1923.	Section three.
14 & 15 Geo. 5. c. 38.	The National Health Insurance Act, 1924.	In paragraph (*e*) of subsection (1) of section fifty-nine the words " other than additional bene- " fits " as from the commencement of this Act; paragraph (*a*) of subsection (2) of section sixty-nine as from the commencement of this Act; in subsection (5) of section seventy-six the words "not exceeding one-half" as from the commencement of this Act; subsection (2) of section eighty-three as from the first day of January, nineteen hundred and twenty-seven.

4th Sch. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
15 & 16 Geo. 5. c. 69.	The Unemployment Insurance Act, 1925.	Paragraph (*c*) of subsection (1) of section four (except in so far as it relates to the meaning of the expression "the "1925 debt") as from the first day of January, nineteen hundred and twenty-six; paragraph (*b*) of subsection (1) of section four and Schedule 2.
15 & 16 Geo. 5. c. 70.	The Widows', Orphans' and Old Age Contributory Pensions Act, 1925.	Paragraph 3 of Part I. of the Fourth Schedule as from the first day of January, nineteen hundred and twenty-seven, and paragraphs 4 and 5 of the said Part I. as from the first day of January, nineteen hundred and twenty-six.

CHAPTER 10.

An Act to extend further the duration of the Local Authorities (Emergency Provisions) Act, 1923. [16th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Further extension of duration of 13 & 14 Geo. 5. c. 6. 14 & 15 Geo. 5. c. 29.

1. The provisions of the Local Authorities (Emergency Provisions) Act, 1923, mentioned in the Schedule to this Act shall, as amended by the Local Authorities (Emergency Provisions) Act, 1924, have effect as if for references therein to nineteen hundred and twenty-six there were substituted references to nineteen hundred and twenty-eight.

Short title.

2. This Act may be cited as the Local Authorities (Emergency Provisions) Act, 1926, and the Local Authorities (Emergency Provisions) Acts, 1923 and 1924, and this Act may be cited together as the Local Authorities (Emergency Provisions) Acts, 1923 to 1926.

SCHEDULE.

PROVISIONS OF 13 & 14 GEO. 5. C. 6. CONTINUED.

Section of Act.	Subject Matter.
Section one	Continuance until the first day of April, nineteen hundred and twenty-four, subject to certain modifications, of section one of the Local Authorities (Financial Provisions) Act, 1921, which provides for the temporary extension of charges on the Metropolitan Common Poor Fund.
Section two	Substitution for "the first day of April, nineteen "hundred and twenty-three," of the "first "day of April, nineteen hundred and twenty-"four," in the following provisions of the Local Authorities (Financial Provisions) Act, 1921; that is to say:— (*a*) the proviso to subsection (3) of section three thereof (which enabled the Minister of Health in certain circumstances to extend the time within which sums borrowed under that section are to be repaid if borrowed before the first day of April first mentioned); (*b*) Subsection (1) of section six thereof (which provided that money borrowed by a local authority before the first-mentioned first day of April for certain purposes is not to be reckoned as part of the debt of the local authority for the purposes of any enactment limiting the powers of borrowing by that authority); (*c*) Subsection (2) of section six thereof (which suspended until the first-mentioned first day of April the operation of subsection (3) of section two hundred and thirty-four of the Public Health Act, 1875).

11 & 12 eo. 5. c. 67.

38 & 39 Vict. c. 55.

CHAPTER 11.

An Act to amend certain enactments relating to the Law of Property and Trustees.

[16th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Conveyances of legal estates subject to certain interests.

15 Geo. 5. c. 18.

1.—(1) Nothing in the Settled Land Act, 1925, shall prevent a person on whom the powers of a tenant for life are conferred by paragraph (ix) of subsection (1) of section twenty of that Act from conveying or creating a legal estate subject to a prior interest as if the land had not been settled land.

(2) In any of the following cases, namely—

(*a*) where a legal estate has been conveyed or created under subsection one of this section, or under section sixteen of the Settled Land Act, 1925, subject to any prior interest, or

(*b*) where before the first day of January, nineteen hundred and twenty-six, land has been conveyed to a purchaser for money or money's worth subject to any prior interest whether or not on the purchase the land was expressed to be exonerated from, or the grantor agreed to indemnify the purchaser against, such prior interest,

the estate owner for the time being of the land subject to such prior interest may, notwithstanding any provision contained in the Settled Land Act, 1925, but without prejudice to any power whereby such prior interest is capable of being overreached, convey or create a legal estate subject to such prior interest as if the instrument creating the prior interest was not an instrument or one of the instruments constituting a settlement of the land.

(3) In this section "interest" means an estate, interest, charge or power of charging subsisting, or

capable of arising or of being exercised, under a settlement, and, where a prior interest arises under the exercise of a power, "instrument" includes both the instrument conferring the power and the instrument exercising it.

Amendment of 15 Geo. 5. c. 20. s. 140 in its application to agricultural holdings.

2. Section one hundred and forty of the Law of Property Act, 1925 (which relates to the apportionment of conditions on severance), shall have effect as if at the end of subsection (2) thereof the following proviso were inserted :—

13 & 14 Geo. 5. c. 9.

> "Provided that where the land demised is an agricultural holding within the meaning of the Agricultural Holdings Act, 1923, the tenant on whom notice to quit is served by the person entitled to a severed part of the reversion may at any time within twenty-eight days of the service of such notice to quit, serve on the persons severally entitled to the severed parts of the reversion a notice in writing to the effect that he accepts the notice to quit as a notice to quit the entire holding given by the persons so severally entitled to take effect at the same time as the original notice; and such acceptance shall have effect as if it were the acceptance of a notice to quit to which paragraph (*d*) of subsection (7) of section twelve of the said Act applies."

Meaning of "trust corporation."

15 Geo. 5. c. 19.
15 Geo. 5. c. 23.
15 & 16 Geo. 5. c. 49.

3.—(1) For the purposes of the Law of Property Act, 1925, the Settled Land Act, 1925, the Trustee Act, 1925, the Administration of Estates Act, 1925, and the Supreme Court of Judicature (Consolidation) Act, 1925, the expression "Trust Corporation" includes the Treasury Solicitor, the Official Solicitor and any person holding any other official position prescribed by the Lord Chancellor, and, in relation to the property of a bankrupt and property subject to a deed of arrangement, includes the trustee in bankruptcy and the trustee under the deed respectively, and, in relation to charitable ecclesiastical and public trusts, also includes any local or public authority so prescribed, and any other corporation constituted under the laws of the United Kingdom or any part thereof which satisfies the Lord Chancellor that it undertakes the administration of any such trusts without remuneration, or that by its constitution it is required to apply the whole of its net income after payment of outgoings for charitable, ecclesiastical or public purposes, and is prohibited from distributing, directly or indirectly, any part thereof by way of profits amongst any of its members, and is authorised by him to act in relation to such trusts as a trust corporation.

(2) For the purposes of this provision, the expression "Treasury Solicitor" means the solicitor for the affairs of His Majesty's Treasury, and includes the solicitor for the affairs of the Duchy of Lancaster.

Date of effective registration and priority notices.

15 Geo. 5. c. 22.

4.—(1) Any person intending to make an application for the registration of any contemplated charge, instrument, or other matter in pursuance of the Land Charges Act, 1925, or any rule made thereunder, may give a priority notice in the prescribed form at least two days before the registration is to take effect, and where such a notice is given—

(*a*) the notice shall be entered in the register to which the intended application when made will relate;

(*b*) if the application is presented within fourteen days thereafter and refers in the prescribed manner to the notice, the registration shall take effect as if the registration had been made at the time when the charge, instrument, or matter was created, entered into, made, or arose, and the date at which the registration so takes effect shall be deemed to be the date of registration; and where any two charges, instruments, or matters are contemporaneous, and one (whether or not protected by a priority notice) is subject to or dependent on the other which is protected by a priority notice, the subsequent or dependent charge, instrument, or matter shall be deemed to have been created, entered into, or made, or to have arisen after the registration of the other.

(2) Where a purchaser has obtained an official certificate of the result of search, any entry which is made in the register after the date of the certificate and before the completion of the purchase, and is not made pursuant to a priority notice entered on the

register before the certificate is issued, shall not, if the purchase is completed before the expiration of the second day after the date of the certificate, affect the purchaser.

(3) In reckoning the number of days under this section, Sundays and other days when the registry is not open to the public shall be excluded.

(4) Rules may be made under the said Act—

(*a*) for determining the date on which applications and notices shall be treated for the purposes of this section as having been made or given;

(*b*) for determining the times and order at and in which applications and priority notices are to be registered;

(*c*) for varying the number of days fixed by this section;

(*d*) for adapting the provisions of this section to local land charges.

(5) Where rules are made varying the number of days fixed by this section, this section shall have effect as if the number so varied were substituted for the number specified in this section.

Priority of charges for securing further advances.
15 Geo. 5. c. 21.

5. The following subsection shall be inserted at the end of section thirty of the Land Registration Act, 1925, namely:—

> "(3) Where the proprietor of a charge is under an obligation, noted on the register, to make a further advance, a subsequent registered charge shall take effect subject to any further advance made pursuant to the obligation."

Amendment of 15 Geo. 5. c. 18, s. 13.

6. Section thirteen of the Settled Land Act, 1925, (which relates to dispositions not taking effect until a vesting instrument is made), shall have effect as if at the end thereof the following proviso were inserted:—

> "Nothing in this section affects the creation or transfer of a legal estate by virtue of an order of the court or the Minister or other competent authority."

Minor amendments.

7. The amendments specified in the second column of the Schedule to this Act, being amendments of a minor nature, shall be made in the enactments mentioned in the first column of that Schedule and shall have effect without prejudice to any title acquired by a purchaser, or any registration effected, before the passing of this Act.

8.—(1) This Act may be cited as the Law of Property (Amendment) Act, 1926, and so far as it amends any Act shall be construed as one with that Act.

Short title, construction and commencement.

(2) The provisions of this Act except sections four and five shall be deemed to have come into operation on the first day of January, nineteen hundred and twenty-six.

SCHEDULE.

Minor Amendments.

Enactments to be amended.	Amendments.
Law of Property Act, 1922.	
S. 43 - -	In subsection (8), for the words "shall be "treated as purchase money," there shall be substituted the words "shall "be treated as interest upon purchase "money."
Schedule XIII., Part II.	At the end of paragraph 13 the following words shall be inserted:— "For the purposes of this paragraph the right of a tenant to demise or otherwise deal with land without the licence of the lord shall not be deemed to be restricted by reason only that by custom or otherwise the transaction has to be effected by surrender and admittance, or by customary assurance, or in any other particular manner, and customary payments have to be made in respect of the transaction."

Enactments to be amended.	Amendments.
Settled Land Act, 1925.	
S. 1	At the end, there shall be inserted the following subsection :— "(7) This section does not apply to land held upon trust for sale."
S. 3	In this section after the word "Land," where it first occurs, there shall be inserted the words "not held upon trust for sale."
S. 13	For the words "without notice of any settlement" there shall be substituted the words "without notice of such tenant for life or statutory owner having become so entitled as aforesaid."
S. 31	At the end of subsection (1) there shall be inserted the following paragraph :— "Where there are trustees for the purposes of this Act of the instrument under which there is a tenant for life or statutory owner but there are no trustees for those purposes of a prior instrument, being one of the instruments by which a compound settlement is constituted, those trustees shall, unless and until trustees are appointed of the prior instrument or of the compound settlement, be the trustees for the purposes of this Act of the compound settlement."
S. 39	In paragraph (i) of subsection (4), for the words "a condition of re-entry on the rent not being paid within a time therein specified not exceeding thirty days," there shall be substituted the words "the statutory powers and remedies for the recovery of the rent shall apply."
S. 78	At the end of subsection (1) there shall be inserted the words "This subsection operates without prejudice to the rights of any person claiming under a disposition for valuable consideration of any such money securities or proceeds, made before the commencement of this Act."

Enactments to be amended.	Amendments.
Settled Land Act, 1925.	
S. 105 - -	The words "if and when such remainderman or reversioner would, if the tenant for life were dead, be or have the powers of a tenant for life under this Act" shall be omitted.
Schedule II. -	At the end of paragraph 1 (6), there shall be inserted the words "This sub-paragraph shall not apply to any legal estate or interest vested in a mortgagee or other purchaser for money or money's worth."
Law of Property Act, 1925.	
S. 2 - - -	For subsection (2) from the beginning to the words "are either," there shall be substituted the words "Where the legal estate affected is subject to a trust for sale, then if at the date of a conveyance made after the commencement of this Act under the trust for sale or the powers conferred on the trustees for sale, the trustees (whether original or substituted) are either." In that subsection for the words "such equitable interest or power" there shall be substituted the words "any equitable interest or power having priority to the trust for sale."
S. 7 - - -	At the end of subsection (1) there shall be inserted the words "and a fee simple subject to a legal or equitable right of entry or re-entry is for the purposes of this Act a fee simple absolute."
S. 26 - -	For subsection (3) the following subsection shall be substituted:— "(3) Trustees for sale shall so far as practicable consult the persons of full age for the time being beneficially interested in possession in the rents and profits of the land until sale, and shall, so far as consistent with the general interest of the trust, give effect

Enactments to be amended.	Amendments.
Law of Property Act, 1925. S. 26—*cont.*	to the wishes of such persons, or, in the case of dispute, of the majority (according to the value of their combined interests) of such persons, but a purchaser shall not be concerned to see that the provisions of this subsection have been complied with." "In the case of a trust for sale, not being a trust for sale created by or in pursuance of the powers conferred by this or any other Act, this subsection shall not apply unless the contrary intention appears in the disposition creating the trust."
S. 27 - -	For subsection (2) the following subsection shall be substituted:— "(2) Notwithstanding anything to the contrary in the instrument (if any) creating a trust for sale of land or in the settlement of the net proceeds, the proceeds of sale or other capital money shall not be paid to or applied by the direction of fewer than two persons as trustees for sale, except where the trustee is a trust corporation, but this subsection does not affect the right of a sole personal representative as such to give valid receipts for, or direct the application of, proceeds of sale or other capital money, nor, except where capital money arises on the transaction, render it necessary to have more than one trustee."
S. 28 - -	In subsection (1), after the word "minority" there shall be inserted the words "and where by statute settled land is or becomes vested in the trustees of the settlement upon the statutory trusts, such trustees and their successors in office shall also have all the additional or larger powers (if any) conferred by the settlement on the tenant for life, statutory owner, or trustees of the settlement."

Enactments to be amended.	Amendments.
Law of Property Act, 1925.	
S. 35	At the end the following paragraph shall be inserted :— " Where— (*a*) an undivided share was subject to a settlement, and (*b*) the settlement remains subsisting in respect of other property, and (*c*) the trustees thereof are not the same persons as the trustees for sale, then the statutory trusts include a trust for the trustees for sale to pay the proper proportion of the net proceeds of sale or other capital money attributable to the share to the trustees of the settlement to be held by them as capital money arising under the Settled Land Act, 1925."
S. 36	At the end of subsection (2) the following words shall be inserted :— " Nothing in this Act affects the right of a survivor of joint tenants, who is solely and beneficially interested, to deal with his legal estate as if it were not held on trust for sale."
S. 89	At the end of subsection (6), there shall be inserted the words " In this subsection " references to an apportionment " include an equitable apportionment " made without the consent of the " lessor."
S. 94	In subsection (2) for the words " date of " the original advance " there shall be substituted the words " time when the " original mortgage was created."
S. 96	At the end of subsection (2) the following proviso shall be inserted :—" In this " subsection notice does not include " notice implied by reason of registra- " tion under the Land Charges Act, " 1925, or in a local deeds register."

Enactments to be amended.	Amendments.
Law of Property Act, 1925.	
S. 125 - -	In subsection (2) for the words "an office copy" there shall be substituted the words "a copy."
Schedule I., Part II.	In paragraph 3 after the words "hereinafter provided" the following proviso shall be inserted:— "The divesting of a legal estate by virtue of this paragraph shall not, where the person from whom the estate is so divested was a trustee, operate to prevent the legal estate being conveyed, or a legal estate being created, by him in favour of a purchaser for money or money's worth, if the purchaser has no notice of the trust and if the documents of title relating to the estate divested are produced by the trustee or by persons deriving title under him." At the end of paragraph 7 there shall be inserted the following paragraph:— "(*m*) To vest in any person any legal estate affected by any rent covenants or conditions if, before any proceedings are commenced in respect of the rent covenants or conditions, and before any conveyance of the legal estate or dealing therewith inter vivos is effected, he or his personal representatives disclaim it in writing signed by him or them."
Part IV.	In paragraph 1 (3), for the words "term of years absolute," there shall be substituted the words "mortgage, and free from any interests, powers, and charges subsisting under the settlement, which have priority to the interests of the persons entitled to the undivided shares." In paragraph 1 (4) (iii) for the words "vest the land" there shall be substituted the words "thereupon the land shall by virtue of this Act vest."

Enactments to be amended.	Amendments.
Law of Property Act, 1925. Schedule I., Part IV.—*cont.*	At the end of paragraph 1 (10) there shall be inserted the words "within eighteen "months from the commencement of "this Act." In paragraph 1 (11), for the words "more "than one half" there shall be substituted the words "one half or upwards." In paragraph 1 (12) after the word "include" there shall be inserted the words "a legal rentcharge affecting the "entirety." At the end of paragraph 3 the following new paragraph shall be inserted :— "4. Where, immediately before the commencement of this Act, there are two or more tenants for life of full age entitled under the same settlement in undivided shares, and, after the cesser of all their interests in the income of the settled land, the entirety of the land is limited so as to devolve together (not in undivided shares), their interests shall, but without prejudice to any beneficial interest, be converted into a joint tenancy, and the joint tenants and the survivor of them shall, until the said cesser occurs, constitute the tenant for life for the purposes of the Settled Land Act, 1925, and this Act."
Trustee Act, 1925. S. 14 -	In paragraph (*a*) of subsection (2), the words "disposition on" shall be omitted.
S. 25 -	In subsection (4), after the words "execu-"tion thereof," there shall be inserted the words "or where not executed "within the United Kingdom within "ten days after its receipt in the "United Kingdom."
S. 26 - -	In subsection (1) for the words "which "may have accrued or been claimed" there shall be substituted the words "which may have accrued and been "claimed."

Enactments to be amended.	Amendments.
Trustee Act, 1925. S. 27	In subsection (1) for the words “in a daily London newspaper and also if the property includes land not situated in London in a daily or weekly newspaper circulating in the district in which the land is situated” there shall be substituted the words “in a newspaper circulating in the district in which the land is situated.”
Land Charges Act, 1925. S. 10	In Class C (iii) at the end, the following proviso shall be inserted :— “Provided that a charge given by way of indemnity against rents equitably apportioned or charged exclusively on land in exoneration of other land and against the breach or non-observance of covenants or conditions, shall not be deemed to be a general equitable charge and shall not be registrable as a land charge under this Act.” For subsection (6) the following subsection shall be substituted :— “(6) In the case of a general equitable charge, restrictive covenant, equitable easement or estate contract affecting land within any of the three ridings, and in the case of any other land charge (not being a local land charge) created by a document which shows on the face of it that the charge affects land within any of those ridings, registration shall be effected in the prescribed manner in the appropriate local deeds registry in place of the registry.”
S. 15	At the end of subsection (1) the following paragraph shall be inserted :— “For the purposes of this section any sum which is recoverable by a local authority under any of the Acts aforesaid from successive owners or occupiers of the property in respect of which the sum is recoverable shall, whether such

Enactments to be amended.	Amendment.
Land Charges Act, 1925. S. 15—*cont.*	sum is expressed to be a charge on the property or not, be deemed to be a charge." At the end of paragraph (*a*) of subsection (6) there shall be inserted the words "whether by reference to the "estate owner or to the land affected "or otherwise" and paragraph (*b*) of the same subsection shall be omitted. For subsection (7) the following subsection shall be substituted :— "The foregoing provisions of this section shall apply to— (*a*) any town planning scheme made by, or any authority or resolution to prepare or adopt a town planning scheme given to or passed by, a local authority, whether made, given or passed before or after the commencement of this Act; and (*b*) any prohibition of or restriction on the user or mode of user of land or buildings imposed by a local authority after the commencement of this Act by order, instrument, or resolution, or enforceable by a local authority under any covenant or agreement made with them after the commencement of this Act, or by virtue of any conditions attached to a consent, approval, or licence granted by a local authority after that date, being a prohibition or restriction binding on successive owners of the land or buildings, and not being— (i) a prohibition or restriction operating over the whole of the district of the authority or over the whole of any contributory place thereof; or

Enactments to be amended.	Amendment.
Land Charges Act, 1925. S. 15—*cont.*	(ii) a prohibition or restriction which is, or which may become, enforceable by virtue of a town-planning scheme; or (iii) a prohibition or restriction imposed by a covenant or agreement made between a lessor and lessee; as if the scheme, resolution, authority, prohibition, or restriction were a local land charge, and the same shall be registered by the proper officer as a local land charge accordingly."
Universities and College Estates Act, 1925. S. 3 - -	In paragraph (i) of subsection (4), for the words "a condition of re-entry on the rent not being paid within a time therein specified, not exceeding thirty days," there shall be substituted the words "the statutory powers and remedies for the recovery of the rent shall apply."

CHAPTER 12.

An Act to extend the periods of operation of section one and subsection (2) of section three of the Unemployment Insurance (No. 2) Act, 1924, and of subsection (1) of section five of the Unemployment Insurance Act, 1925.

[30th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The following provisions of the Acts relating to unemployment insurance, that is to say:—

Extension of operation of s. 1 and s. 3 (2) of Unemployment Insurance (No. 2) Act, 1924, and s. 5 (1) of Unemployment Insurance Act, 1925. 14 & 15 Geo. 5. c. 30. 15 & 16 Geo. 5. c. 69.

(*a*) Section one of the Unemployment Insurance (No. 2) Act, 1924 (which provides that until the thirtieth day of June, nineteen hundred and twenty-six, insured contributors are to have certain rights in respect of the receipt of unemployment benefit); and

(*b*) Subsection (2) of section three of the said Act (which as amended by section two of the Unemployment Insurance Act, 1925, provides that during the period between the commencement of the Unemployment Insurance (No. 2) Act, 1924, and the thirtieth day of June, nineteen hundred and twenty-seven, a person is to be entitled to receive benefit if the Minister thinks fit so to direct notwithstanding that the first statutory condition may not have been fulfilled in his case); and

(*c*) Subsection (1) of section five of the Unemployment Insurance Act, 1925 (which provides that it shall not be necessary for the Minister at any time before the first day of July, nineteen hundred and twenty-six, to require any association to make for the purposes of proviso (*a*) to subsection (1) of section seventeen of the Unemployment Insurance Act, 1920, any greater provision for unemployment benefit than would have been required to be made for those purposes under that Act as originally enacted)

10 & 11 Geo. 5. c. 30.

shall have effect as if for the said thirtieth day of June, nineteen hundred and twenty-six, thirtieth day of June, nineteen hundred and twenty-seven, and first day of July, nineteen hundred and twenty-six, respectively, there were substituted the day on which this Act expires.

Short title, duration, and application.

2.—(1) This Act may be cited as the Unemployment Insurance Act, 1926, and shall be included among the Acts which may be cited together as the Unemployment Insurance Acts, 1920 to 1926.

(2) This Act shall, unless Parliament otherwise determines, expire on the thirty-first day of December, nineteen hundred and twenty-seven.

(3) This Act does not apply to Northern Ireland.

CHAPTER 13.

An Act to amend section seven of the Criminal Justice Act, 1925. [30th June 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of s. 7 of Criminal Justice Act, 1925. 15 & 16 Geo. 5. c. 86. 7 Edw. 7. c. 17.

1.—(1) There shall be substituted for the subsection directed by subsection (2) of section seven of the Criminal Justice Act, 1925 (in this Act referred to as "the principal Act"), to be substituted for subsection (3) of section one of the Probation of Offenders Act, 1907, the following subsection:—

> "(3) The court may, where it makes an order under this section, further order that the offender shall pay such costs of the proceedings, or such damages for injury or compensation for loss (not exceeding in the case of a court of summary jurisdiction twenty-five pounds, or, if a higher limit is fixed by any enactment relating to the offence, that higher limit), as the court thinks reasonable, or both such costs and damages or compensation."

(2) The following further amendments shall be made in section seven of the principal Act:—

- (*a*) In subsection (1) for the words "in every case "where a person as respects whom a probation "order has been made by a court of summary "jurisdiction" there shall be substituted the words "in every case where a person in respect "of whom an order has been made by a court "of summary jurisdiction under section one of "the principal Act":
- (*b*) In subsection (4) for the words "probation order" there shall be substituted the word "recognizance":
- (*c*) In subsection (5) for the words "the certificate" there shall be substituted the words "any such "certificate, if purporting to be signed by a "justice":

(*d*) In subsection (6) for the words "where a person "as respects whom a probation order has been "made" there shall be substituted the words "where a person bound by his recognizance to "appear for conviction and sentence."

Short title and printing.

2.—(1) This Act may be cited as the Criminal Justice (Amendment) Act, 1926, and the principal Act and this Act may be cited together as the Criminal Justice Acts, 1925 and 1926.

(2) Every enactment and word which is directed by this Act to be substituted for any portion of the principal Act shall form part of that Act in the place assigned to it by this Act, and the principal Act shall be construed as if the said enactment or word had been enacted in the principal Act in the place so assigned and had been enacted in lieu of the enactment or word for which it is substituted.

A copy of the principal Act with the amendments required by this Act shall be prepared and certified by the Clerk of the Parliaments and deposited with the Rolls of Parliament, and His Majesty's printer shall print in accordance with the copy so certified all copies of the principal Act which are printed after the commencement of this Act.

CHAPTER 14.

An Act to provide for the incorporation of the Trustees of the Imperial War Graves Endowment Fund and for other matters connected with the said Fund. [30th June 1926.]

WHEREAS by Royal Charter dated the twenty-first day of May, nineteen hundred and seventeen, a body was incorporated by the name of the Imperial War Graves Commission for the purpose of caring for the graves of officers and men of the military and naval forces of His Majesty who fell in the late war and for other purposes mentioned in the Charter:

And whereas under Part VI. of the said Charter the Commission were empowered to establish an Endowment Fund (in this Act referred to as "the Endowment

Fund") and to apply the income produced by the Endowment Fund in carrying into effect the purposes of the Charter:

And whereas it was further provided by the Charter that the Endowment Fund should be vested in three Trustees to be appointed in manner therein mentioned, and that the Trustees might invest any moneys for the time being constituting the capital of the Endowment Fund in such manner and in such securities of such a description as the Trustees should think expedient:

And whereas the Governments of the United Kingdom, British India, the Dominion of Canada, the Commonwealth of Australia, the Dominion of New Zealand, the Union of South Africa, Newfoundland and the Governments of certain British Colonies and Protectorates have agreed or may agree to contribute to the Endowment Fund:

And whereas it is expedient to make provision for incorporating the Trustees of the Endowment Fund and for other matters in connection with the Fund:

And whereas for the purpose of better securing the objects of the Charter it is expedient that provision should be made to enable the Trustees to accumulate contributions to the Endowment Fund and the income thereof, and such purpose cannot be effected without the authority of Parliament:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Incorporation of Trustees of Endowment Fund.

1. The Trustees of the Endowment Fund shall be a body corporate by the name of the Imperial War Graves Endowment Fund Trustees with perpetual succession and a common seal.

Accumulation of Endowment Fund.

2. Notwithstanding anything in the said Charter or in any Act, the Trustees of the Endowment Fund shall have power to accumulate in augmentation of the Fund any of the income produced by the Fund until the total amount of the Fund reaches the sum of five million pounds.

Short title.

3. This Act may be cited as the Imperial War Graves Endowment Fund Act, 1926.

CHAPTER 15.

An Act to amend the law of Scotland relating to appeal in criminal cases tried on indictment.

[8th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Right of appeal by persons convicted on indictment.

1. A person convicted on indictment may appeal under this Act to the High Court of Justiciary (hereinafter in this Act referred to as the Court)—

(*a*) against his conviction on any ground of appeal, which involves a question of law alone; and

(*b*) with the leave of the Court or upon the certificate of the judge who presided at the trial that it is a fit case for appeal, against his conviction on any ground of appeal which involves a question of fact alone or a question of mixed law and fact or on any other ground which appears to the Court or to the judge to be a sufficient ground of appeal;

(*c*) with the leave of the Court against the sentence passed on his conviction unless the sentence is one fixed by law; Provided that a person sentenced to preventive detention within the meaning of the Prevention of Crime Act, 1908, may appeal to the Court against such sentence without the leave of the Court.

8 Edw. 7. c. 59.

Determination of appeals in ordinary cases.

2.—(1) The Court on any such appeal against conviction shall allow the appeal if they think that the verdict of the jury should be set aside on the ground that it is unreasonable or cannot be supported having regard to the evidence, or that the judgment of the court before whom the appellant was convicted should be set aside on the ground of a wrong decision of any question of law or that on any ground there was a miscarriage of justice and in any other case shall dismiss the appeal: Provided that the Court may, notwithstanding that they are of opinion that the point raised in the appeal might be decided in favour of the appellant, dismiss the appeal if they consider that no substantial miscarriage of justice has actually occurred.

(2) Subject to the special provisions of this Act the Court shall, if they allow an appeal against conviction, quash the conviction.

(3) On any appeal against conviction the Court shall have the like power to quash the sentence passed and to pass another sentence as is conferred on the Court by the immediately succeeding subsection of this section in the case of an appeal against sentence.

(4) On any appeal against sentence the Court shall, if they think that a different sentence should have been passed, quash the sentence passed and pass such other sentence warranted in law (whether more or less severe) in substitution therefor as they think ought to have been passed, and in any other case shall dismiss the appeal.

Powers of Court in special cases.

3.—(1) If it appears to the Court that an appellant though not properly convicted on some charge or part of the indictment, has been properly convicted on some other charge or part of the indictment, the Court may, instead of allowing or dismissing the appeal, substitute for the verdict found by the jury a verdict of guilty on such other charge or part of the indictment, and may either affirm the sentence passed on the appellant at the trial or pass such sentence in substitution therefor as they think proper, and as may be warranted in law by the verdict so substituted.

(2) Where an appellant has been convicted of an offence and the jury could on the indictment have found him guilty of some other offence, and on the finding of the jury it appears to the Court that the jury must have been satisfied of facts which proved him guilty of that other offence, the Court may, instead of allowing or dismissing the appeal, substitute for the verdict found by the jury a verdict of guilty of that other offence, and pass such sentence in substitution for the sentence passed at the trial as may be warranted in law for that other offence.

(3) If on any appeal it appears to the Court that the appellant committed the act charged against him but that he was insane at the time of committing the same, the Court may substitute for the verdict found by

the jury a verdict of acquittal on the ground of insanity, and may quash the sentence passed at the trial and make such order for the detention of the appellant until His Majesty's pleasure be known, as may be made under section eighty-eight of the Lunacy (Scotland) Act, 1857, in the case of a person acquitted by a jury on the ground of insanity.

20 & 21 Vict. c. 71.

Time for appealing.

4.—(1) Where a person convicted desires to appeal under this Act to the Court or to obtain the leave of the Court to appeal, he shall within ten days of the date of his conviction in the case of appeal or application for leave to appeal against conviction, or within ten days of the date of his sentence in the case of appeal or application for leave to appeal against sentence, give, in such manner as may be directed by Act of Adjournal, notice of appeal or of application for leave to appeal. Provision shall be made by such Act of Adjournal to enable any such person to present his case and his argument in writing instead of orally if he so desires, and any case or argument so presented shall be considered by the Court. Except in the case of a conviction involving sentence of death, the time within which notice of appeal or of application for leave to appeal may be given may be extended at any time by the Court.

(2) In the case of a sentence of death or corporal punishment—

(*a*) the sentence shall not in any case be executed until after the expiration of the time within which notice of appeal or of an application for leave to appeal may be given under this section; and

(*b*) if notice is so given, the appeal or application shall be heard and determined with as much expedition as practicable, and the sentence shall not be executed until after the determination of the appeal, or, in cases where an application for leave to appeal is finally refused, of the application.

(3) Where in the case of a conviction involving sentence of death the appeal is dismissed or the application for leave to appeal is finally refused, the Court shall fix a day for the execution of the sentence

which day shall be not less than fourteen or more than eighteen clear days after the day when the appeal is dismissed or the application for leave to appeal is finally refused, and the sentence pronounced at the trial shall have effect as if for the day therein mentioned, the day fixed in pursuance of this subsection were substituted.

Judges notes and report to be furnished on appeal.

5. Where a person convicted appeals under this Act against the conviction or against the sentence, or applies for leave to appeal, the judge who presided at the trial shall furnish to the Clerk of Justiciary, in such manner as may be directed by Act of Adjournal, his notes of the proceedings before him, and a report giving his opinion on the case or on any point arising therein.

Supplemental powers of Court.

6. For the purposes of this Act the Court may, if they think it necessary or expedient in the interest of justice—

(*a*) order the production of any document, or other thing connected with the proceedings, the production of which appears to them necessary for the determination of the case; and

(*b*) if they think fit, order any witnesses who would have been compellable witnesses at the trial to attend and be examined before the Court, whether they were or were not called at the trial, or order the examination of any such witnesses to be conducted in manner provided by Act of Adjournal before any judge of the Court or other person appointed by the Court for the purpose, and allow the admission of any depositions so taken as evidence before the Court; and

(*c*) if they think fit, receive the evidence, if tendered of any witness (including the appellant) who is a competent but not compellable witness, and, if the appellant makes an application for the purpose, of the husband or wife of the appellant, in cases where the evidence of the husband or wife could not have been given at the trial except on such an application; and

(*d*) where any question arising on the appeal involves prolonged examination of documents or accounts, or any scientific or local investigation, which cannot in the opinion of the Court conveniently be conducted before the Court, order the reference of the question in manner provided by Act of Adjournal for inquiry and report to a special commissioner appointed by the Court, and act upon the report of any such commissioner so far as they think fit to adopt it; and

(*e*) appoint any person with special expert knowledge to act as assessor to the Court in any case where it appears to the Court that such special knowledge is required for the proper determination of the case;

and exercise in relation to the proceedings under this Act any other powers vested in the Court, and issue any warrants necessary for enforcing the orders or sentences of the Court: Provided that in no case shall any sentence be increased by reason of or in consideration of any evidence that was not given at the trial.

Right of appellant to be present.

7.—(1) An appellant, notwithstanding that he is in custody, shall be entitled to be present if he desires it, on the hearing of his appeal, except where the appeal is on some ground involving a question of law alone, but, in that case and on an application for leave to appeal and on any proceedings preliminary or incidental to an appeal, shall not be entitled to be present, except where it is provided by Act of Adjournal that he shall have the right to be present, or where the Court gives him leave to be present.

(2) The power of the Court to pass any sentence under this Act may be exercised notwithstanding that the appellant is for any reason not present.

Expenses of appeal.

8. On the hearing and determination of an appeal or any proceedings preliminary or incidental thereto under this Act no expenses shall be allowed on either side.

Admission of appellant to bail, and custody when attending Court.

9.—(1) The Court may, if it seems fit, on the application of an appellant, admit the appellant to bail pending the determination of his appeal.

(2) An appellant who is admitted to bail shall, unless the Court otherwise directs, appear personally in Court on the day or days fixed for the hearing of his appeal

or application for leave to appeal. In the event of the appellant failing so to appear, the Court may decline to consider the appeal or application, and may dismiss it summarily or may consider and determine it or make such other order as they think fit.

(3) An appellant who is not admitted to bail shall, pending the determination of his appeal, be treated in such manner as may be directed by rules made under the Prisons (Scotland) Act, 1877.

40 & 41 Vict. c. 53.

(4) The time during which an appellant, pending the determination of his appeal, is admitted to bail, and subject to any directions which the Court may give to the contrary on any appeal, the time during which the appellant, if in custody, is specially treated as an appellant under this section, shall not count as part of any term of imprisonment or penal servitude under his sentence, and, in the case of an appeal under this Act, any imprisonment or penal servitude under the sentence of the appellant, whether it is the sentence passed by the court of trial or the sentence passed by the Court on appeal shall, subject to any directions which may be given by the Court as aforesaid, be deemed to be resumed or to begin to run, as the case requires, if the appellant is in custody, as from the day on which the appeal is determined, and, if he is not in custody, as from the day on which he is received into prison under the sentence.

(5) Provision shall be made by rules under the Prisons (Scotland) Act, 1877, for the manner in which an appellant, when in custody, is to be brought to any place at which he is entitled to be present for the purposes of this Act, or to any place to which the Court or any judge thereof may order him to be taken for the purpose of any proceedings of the Court, and for the manner in which he is to be kept in custody while absent from prison for the purpose; and an appellant whilst in custody in accordance with those rules shall be deemed to be in legal custody.

Summary determination of frivolous appeals, &c.

10.—(1) If on any notice of appeal against a conviction purporting to be on a ground of appeal which involves a question of law alone it appears to the Court that the appeal is frivolous or vexatious, and that it can be determined without adjourning it for a full hearing, they may dismiss the appeal summarily, without calling on any persons to attend the hearing or to appear for the Crown thereon.

(2) Any documents, productions, or other things lodged in connection with the proceedings on the trial of any person on indictment, who, if convicted, is entitled or may be authorised to appeal under this Act, shall be kept in the custody of the court of trial in accordance with rules made by Act of Adjournal for the purpose, for such time as may be provided by the rules, and subject to such power as may be given by the rules for the conditional release of any such documents, productions, or things from that custody.

(3) The Clerk of Justiciary shall furnish the necessary forms and instructions in relation to notices of appeal or notices of application under this Act to any person who demands the same, and to officers of courts, governors of prisons, and such other officers or persons as he thinks fit, and the governor of a prison shall cause those forms and instructions to be placed at the disposal of prisoners desiring to appeal or to make any application under this Act, and shall cause any such notice given by a prisoner in his custody to be forwarded on behalf of the prisoner to the Clerk of Justiciary.

Shorthand notes of trial.

11.—(1) Shorthand notes shall be taken of the proceedings at the trial of any person on indictment, who, if convicted, is entitled or may be authorised to appeal under this Act, and on any appeal or application for leave to appeal a transcript of the notes or any part thereof shall be made if the Clerk of Justiciary so directs, and furnished to him for the use of the Court or any judge thereof: Provided that a transcript shall be furnished to any party interested upon the payment of such charges as the Treasury may fix.

(2) The Secretary for Scotland may also, if he thinks fit in any case, direct a transcript of the shorthand notes to be made and furnished to him for his use.

(3) The cost of taking any such shorthand notes, and of any transcript where a transcript is directed to be made by the Clerk of Justiciary or by the Secretary for Scotland, shall be defrayed, in accordance with scales of payment fixed for the time being by the Treasury, out of moneys provided by Parliament, and

such provision as is necessary for securing the accuracy of the notes to be taken and for the verification of the transcript may be made by Act of Adjournal.

Quorum procedure and sitting of the Court, &c.

12.—(1) For the purpose of hearing and determining any appeal or other proceeding under this Act three of the Lords Commissioners of Justiciary shall be a quorum of the Court, and the determination of any question under this Act by the Court shall be according to the votes of the majority of the members of the Court sitting, including the presiding judge, and each judge so sitting shall be entitled to pronounce a separate opinion.

(2) The Court shall hold both during Session and during Vacation such sittings for the disposal of appeals and other proceedings under this Act as may be necessary.

(3) The provisions of this section shall apply to cases certified to the High Court of Justiciary by a single judge of the said Court and to appeals by way of advocation from the Sheriff Court in like manner as they apply to appeals under this Act.

(4) The provision substituted as regards Scotland by subsection (5) of section seventeen of the Prevention of Crime Act, 1908, for section eleven thereof is hereby repealed except as regards persons convicted on or before the thirty-first day of October, nineteen hundred and twenty-six.

Sentence in Sheriff Court not to be suspended.

13. It shall not be competent to appeal to the High Court of Justiciary by bill of suspension against any conviction, sentence, judgment or order pronounced after the thirty-first day of October, nineteen hundred and twenty-six, in any proceedings on indictment in the Sheriff Court.

Powers which may be exercised by a judge of the Court.

14. The powers of the Court under this Act to give leave to appeal, to extend the time within which notice of appeal or of an application for leave to appeal may be given, to allow the appellant to be present at any proceedings in cases where he is not entitled to be present without leave, and to admit an appellant to bail, may be exercised by any judge of the Court in the same manner as they may be exercised by the Court, and subject to the same provisions; but, if the judge refuses an application on the part of the appellant to exercise any such power in his favour, the appellant shall be entitled to have the application determined by the Court.

Power to make Acts of Adjournal.

15. The Court may by Act of Adjournal regulate the practice and procedure under this Act, and make such rules and regulations as may be necessary to carry out the purposes of this Act, provided that no rule, regulation or provision which affects the governor or any other officer of a prison shall be made by any such Act of Adjournal except with the consent of the Secretary for Scotland.

Prerogative of mercy.

16. Nothing in this Act shall affect the prerogative of mercy, but the Secretary for Scotland on the consideration of any petition for the exercise of His Majesty's mercy, having reference to the conviction of a person on indictment or to the sentence (other than sentence of death) passed on a person who has been so convicted, may, if he thinks fit, at any time, and whether an appeal or an application for leave to appeal against such conviction or sentence has or has not previously been heard and determined by the Court, either—

(*a*) refer the whole case to the Court and the case shall then be heard and determined by the Court as in the case of an appeal under this Act; or

(*b*) if he desires the assistance of the Court on any point arising in the case with a view to the determination of the petition, refer that point to the Court for their opinion thereon, and the Court shall consider the point so referred and furnish the Secretary for Scotland with their opinion thereon accordingly.

Finality of proceedings of Court.

17.—(1) Subject to the provisions of the immediately preceding section of this Act, all interlocutors and sentences pronounced by the Court under this Act shall be final and conclusive and not subject to review by any Court whatsoever and it shall be incompetent to stay or suspend any execution or diligence issuing from the Court under this Act.

50 & 51 Vict. c. 35.

(2) Section seventy-two of the Criminal Procedure (Scotland) Act, 1887, shall have effect subject to the provisions of this Act.

Definitions.

18. In this Act, unless the context otherwise requires—

The expression "appellant" includes a person who has been convicted and desires to appeal under this Act; and the expression "sentence" includes any order of the Court made on conviction with reference to the person convicted or his wife or children, and any recommendation of the Court as to the making of a deportation order in the case of a person convicted and the power of the Court to pass a sentence includes a power to make any such order of the Court or recommendation, and a recommendation so made by the Court shall have the same effect for the purposes of Article twelve of the Aliens Order, 1920, as the certificate and recommendation of the convicting Court.

Short title, extent and application.

19.—(1) This Act may be cited as the Criminal Appeal (Scotland) Act, 1926, and shall extend to Scotland only.

(2) This Act shall apply to all persons convicted after the thirty-first day of October, nineteen hundred and twenty-six, but shall not affect the rights as regards appeal of any person convicted on or before that date.

CHAPTER 16.

An Act to amend the law relating to the execution of diligence in Scotland. [8th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Sheriff officer to have the powers of a messenger-at-arms in certain places.

1. In any county in which there is no resident messenger-at-arms, or in any of the islands of Scotland, a sheriff officer duly authorised to practise in any part of the sheriffdom comprising such county or island shall have all the powers of a messenger-at-arms in regard to the service of any summons, writ, citation or other proceeding or to the execution of or diligence on, any decree warrant or order.

Execution of arrestment or charge by registered letter in certain cases.

2.—(1) It shall be competent to execute by registered letter in accordance with the provisions hereinafter contained:—

(*a*) an arrestment proceeding on any warrant or decree of the small debt court, or

(*b*) a charge upon a decree for payment of money, granted in the small debt court, if the place of execution is in any of the islands of Scotland or in any county in which there is no resident sheriff officer, or is more than twelve miles distant from the seat of the court where such decree was granted.

(2) The following provisions shall apply to the execution by registered letter of an arrestment or charge in pursuance of the foregoing provisions of this section:—

(*a*) A registered letter containing the writ or other document to be served shall be sent by post to the known residence or place of business of the person in whose hands the arrestment is to be used (hereinafter referred to as the arrestee) or against whom the charge is to be executed (hereinafter referred to as the debtor) or to the last known address of such arrestee or debtor if it continues to be his legal domicile or proper place of citation:

(*b*) The registered letter may be sent by a sheriff officer who would be entitled to execute the arrestment or the charge according to the law and practice existing at the passing of this Act, or by a messenger-at-arms resident in the sheriffdom in which the place of execution is situated, or, if there is no sheriff officer, or messenger-at-arms resident in the sheriffdom, by a law agent enrolled in such sheriffdom:

(*c*) On the back of the registered letter besides the address there shall be written or printed the following notice or a notice to the like effect:— "If delivery of this letter cannot be made, it is

" to be returned immediately to [give the name " and address of law agent, messenger-at- " arms, or sheriff officer concerned] ":

(*d*) The execution to be returned shall be accompanied by the Post Office receipt for the registered letter:

(*e*) Delivery of a registered letter sent in accordance with the foregoing provisions shall constitute a valid arrestment in the hands of the arrestee, or a valid execution of the charge against the debtor as the case may be as at the time of such delivery, and where in any proceedings in which the validity of such arrestment or of such charge is in question there is produced an acknowledgment or certificate of the delivery of the registered letter issued by the Postmaster General in pursuance of regulations under the Post Office Act, 1908, the letter shall be presumed to have been delivered to the arrestee or to the debtor at the address and on the day specified in such acknowledgment or certificate, unless it shall be proved by the arrestee or the debtor or any person having an interest that the registered letter was never in fact delivered to or received by the arrestee or the debtor as the case may be, or any person with his authority, express or necessarily implied, or was so delivered on some other day:

8 Edw. 7. c. 48.

(*f*) Where, in any proceedings in which the validity of any such arrestment or of such charge is in question, it is proved that the registered letter sent in pursuance of the foregoing provisions was duly tendered at the proper address of the arrestee or the debtor, but was refused by him or by some person with his authority, express or necessarily implied, the Court may if it shall think fit hold such tender and refusal equivalent to delivery of the registered letter for the purposes of this section:

(*g*) The provisions of rule one hundred and twenty-six in the First Schedule to the Sheriff Courts (Scotland) Act, 1907, shall not apply to service of a schedule of arrestment in accordance with the foregoing provisions.

7 Edw. 7. c. 51.

3. Where an extract decree or warrant granted by any court in Scotland is presented to the sheriff within whose jurisdiction such decree or warrant requires to be executed, and the sheriff is satisfied that no messenger-at-arms or sheriff officer is reasonably available to execute such decree or warrant, the sheriff may, if he shall think fit, grant authority to any person whom he may deem suitable (but not including the law agent of the party presenting the extract decree or warrant) to execute such decree or warrant, and the person so authorised shall as regards any diligence or execution competent on such decree or warrant have all the powers of a messenger-at-arms or sheriff officer.

Authorisation by sheriff to do diligence in certain cases.

4. For the purposes of section three of the Citation Amendment (Scotland) Act, 1882, the expression "enrolled law agent" shall mean—

Meaning of "enrolled law agent" in 45 & 46 Vict. c. 77.

(*a*) in the case of a summons, warrant or judicial intimation issued from the Court of Session, a law agent whose name is on the roll of law agents practising before such court kept in pursuance of section twelve of the Law Agents (Scotland) Act, 1873; and

36 & 37 Vict. c. 63.

(*b*) in the case of a summons, warrant or judicial intimation issued from the sheriff court, a law agent whose name is on the roll, kept in pursuance of section thirteen of the said Act, of law agents practising in any sheriff court of the sheriffdom in which the summons, warrant or judicial intimation is to be executed.

5. In this Act, unless the context otherwise requires, the expression "small debt court" shall mean the sheriff's small debt court, the expression "arrestment" shall include arrestment on the dependence, arrestment in security, and arrestment in execution, but shall not include arrestment to found jurisdiction; a law agent shall be deemed to be enrolled in a sheriffdom if his name is on the roll, kept in pursuance of section thirteen of the Law Agents (Scotland) Act, 1873, of law agents practising in any of the sheriff courts in that sheriffdom.

Interpretation.

6. The Court of Session may by Act of Sederunt make such regulations and prescribe such forms as may be necessary to give full effect to the provisions of this

Regulations, forms and fees.

Act, and fix the fees payable to messengers-at-arms, sheriff officers or others in respect of anything done under this Act.

Repeal of enactments. 31 & 32 Vict. c. 100.

7. Section nineteen of the Court of Session Act, 1868, and section forty-nine of the Sheriff Courts (Scotland) Act, 1907, are hereby repealed.

Short title.

8. This Act may be cited as the Execution of Diligence (Scotland) Act, 1926.

CHAPTER 17.

An Act to amend temporarily the Coal Mines Acts, 1887 to 1919, with respect to the hours of employment below ground.

[8th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Temporary amendment of 8 Edw. 7. c. 57. s. 3.

1. During the continuance of this Act, section three of the Coal Mines Regulation Act, 1908, shall have effect as if the words " on not more than sixty days in any calendar year " and subsection (2) thereof were omitted therefrom.

Short title, extent and duration.

2.—(1) This Act may be cited as the Coal Mines Act, 1926, and the Coal Mines Acts, 1887 to 1919, and this Act, may be cited together as the Coal Mines Acts, 1887 to 1926.

(2) This Act shall not extend to Northern Ireland.

(3) This Act shall continue in force for a period of five years from the passing thereof.

CHAPTER 18.

An Act to transfer the powers of the Secretary for Scotland to one of His Majesty's Principal Secretaries of State, and to increase the number of Secretaries of State and Under Secretaries of State capable of sitting and voting in the Commons House of Parliament, and for purposes connected with the matters aforesaid.

[15th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Transfer of powers and duties from Secretary for Scotland to Secretary of State.

1.—(1) On the first appointment after the passing of this Act of an additional Principal Secretary of State (if His Majesty is pleased to make such an appointment), all the powers and duties of the Secretary for Scotland shall, by virtue of this Act, become powers and duties of a Principal Secretary of State, and the office of Secretary for Scotland and the office of Parliamentary Under Secretary for Health for Scotland shall be abolished.

(2) On the appointment of such an additional Secretary of State as aforesaid, all property which at the time of the appointment is vested in the Secretary for Scotland as such shall, by virtue of this Act, be transferred to and become vested in that additional Secretary of State.

(3) For the purpose of the construction of any Act of Parliament, judgment, decree, order, award, warrant, deed, contract, regulation, byelaw, or other document passed or made before the time at which the transfer under this Act of the powers and duties of and of property vested in the Secretary for Scotland to a Principal Secretary of State takes effect, references therein to the Secretary for Scotland and to the Parliamentary Under Secretary for Health for Scotland shall, as from the time of the said transfer, have effect as if they were respectively references to one of His Majesty's

Principal Secretaries of State and to an Under Secretary to that Principal Secretary of State.

Transitory provisions.

2.—(1) Where anything in relation to the property, powers or duties transferred by this Act was commenced by or under the authority of the Secretary for Scotland before the time of the transfer aforesaid, that thing may be carried on and completed by or under the authority of a Secretary of State.

(2) Where at the time of the transfer aforesaid any legal proceeding is pending to which the Secretary for Scotland is a party and that proceeding has reference to any property, powers, or duties transferred by this Act, a Secretary of State shall be substituted in that proceeding for the Secretary for Scotland, and that proceeding shall not abate by reason of the substitution.

(3) All permanent secretaries, inspectors, clerks, or other officers employed under the Secretary for Scotland at the time of the transfer aforesaid shall hold their offices and places under the Secretary of State, and shall do so upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed.

Increase of number of Secretaries of State and Under Secretaries in the House of Commons.
21 & 22 Vict. c. 106.
27 & 28 Vict. c. 34.
7 & 8 Geo. 5. c. 51.

3. The number of Principal Secretaries of State and of Under Secretaries of State capable of sitting and voting in the Commons House of Parliament shall be increased to six, and accordingly section four of the Government of India Act, 1858, and section one of the House of Commons (Vacation of Seats) Act, 1864, as amended by section eleven of the Air Force (Constitution) Act, 1917, shall have effect as if the word "six" were substituted for the word "five" wherever that word occurs in those sections as so amended.

Short title and repeal.

4.—(1) This Act may be cited as the Secretaries of State Act, 1926.

(2) The enactments mentioned in the Schedule to this Act shall, to the extent specified in the third column of that Schedule, be repealed as from the time of the transfer aforesaid.

SCHEDULE.

Section 4.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
48 & 49 Vict. c. 61.	The Secretary for Scotland Act, 1885.	Section two from the beginning down to "pounds a year" and sections three and four.
9 & 10 Geo. 5. c. 20.	The Scottish Board of Health Act, 1919.	In subsection (1) of section three the words from the beginning of the subsection down to "this Act" and from "there shall be paid" to the end of the subsection.

CHAPTER 19.

An Act to remove the necessity of the re-election of Members of the House of Commons on acceptance of office. [15th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of law as to necessity of re-election of Ministers. 9 & 10 Geo. 5. c. 2.

1.—(1) In subsection (1) of section one of the Re-election of Ministers Act, 1919, the words "and if such "acceptance has taken place within nine months "after the issue of a proclamation summoning a new "Parliament" shall be deleted and the said section shall, as from the passing of this Act, have effect as if the said words did not form part of the said section.

(2) The enactments mentioned in the Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

Short title. **2.** This Act may be cited as the Re-election of Ministers Act (1919) Amendment Act, 1926.

SCHEDULE.

Enactments repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
30 & 31 Vict. c. 102.	The Representation of the People Act, 1867.	Section fifty-two and Schedule H.
31 & 32 Vict. c. 48.	The Representation of the People (Scotland) Act, 1868.	Section fifty-one and Schedule H.
31 & 32 Vict. c. 49.	The Representation of the People (Ireland) Act, 1868.	Section eleven and Schedule E.
48 & 49 Vict. c. 61.	The Secretary for Scotland Act, 1885.	In section three the words "in "Schedule H of the Representation of the People "Act, 1867; in Schedule H "of the Representation of "the People (Scotland) Act, "1868; in Schedule E of "the Representation of the "People (Ireland) Act, 1868; "and."
52 & 53 Vict. c. 30.	The Board of Agriculture Act, 1889.	In subsection (1) of section eight the words "and shall "be deemed to be an office "included in Schedule H of "the Representation of the "People Act, 1867; Schedule H of the Representation of the People (Scotland) Act, 1868; and Schedule E of the Representation of the People (Ireland) "Act, 1868."

Session and Chapter.	Short Title.	Extent of Repeal.
62 & 63 Vict. c. 33.	The Board of Education Act, 1899.	In subsection (1) of section eight the words "in Schedule H of the Representation of the People Act, 1867; in Schedule H of the Representation of the People (Scotland) Act, 1868; in Schedule E of the Representation of the People (Ireland) Act, 1868, and."
6 & 7 Geo. 5. c. 65.	The Ministry of Pensions Act, 1916.	In subsection (1) of section seven the words "in Schedule H of the Representation of the People Act, 1867; in Schedule H of the Representation of the People (Scotland) Act, 1868; in Schedule E of the Representation of the People (Ireland) Act, 1868; and."
6 & 7 Geo. 5. c. 68.	The New Ministries and Secretaries Act, 1916.	Subsection (2) of section twelve.
9&10Geo. 5. c. 2.	The Re-election of Ministers Act, 1919.	In section one, subsection (1), the words "and if such acceptance has taken place within nine months after the issue of a proclamation summoning a new Parliament," and subsection (2). In section two the words "and the office of such Minister shall be deemed to be an office included in the above-mentioned Schedules."

CHAPTER 20.

An Act to provide in the case of default by a board of guardians for the reconstitution of the board; and for matters arising out of the default or consequential on the reconstitution.

[15th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Proceedings on default by board of guardians.

1.—(1) Where it appears to the Minister of Health (in this Act referred to as "the Minister") that the board of guardians for any poor law union have ceased, or are acting in such a manner as will render them unable, to discharge all or any of the functions exerciseable by the board, the Minister may by order under this Act appoint such person or persons, as he may think fit (whether qualified or not to be guardians for the union), to constitute the board in substitution for the then existing members of the board (who shall on the making of the order vacate their office) for such period, not exceeding twelve months, as may be specified in the order, and the persons so appointed shall be deemed for all purposes to constitute the board.

Until the expiration of the term of office of the persons appointed by the order (in this Act referred to as "the appointed guardians"), no person shall become a member of the board otherwise than by the appointment of the Minister.

Where any such order is made, provision shall be made thereby, or by a subsequent order under this Act, for the holding of an election of members of the board to come into office on the expiration of the term of office of the appointed guardians, and with respect to the term of office of the guardians elected at that election.

(2) The Minister may at any time, and from time to time, by order extend, for a period not exceeding six months, the term of office of the appointed guardians.

An order made under this subsection shall be laid before both Houses of Parliament as soon as may be after it is made, and if either House within twenty-one days after the order has been laid before it presents an address to His Majesty praying that the order may be annulled, His Majesty may by Order in Council annul the order and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder, or the making of a fresh order.

(3) An order made under this Act may—

(*a*) contain such supplemental and consequential provisions as appear to the Minister to be necessary or expedient for the purpose of giving full effect to the order; and

(*b*) be amended, varied or revoked by a subsequent order made under this Act.

(4) There may, out of any moneys in the hands of the appointed guardians for the purpose of the exercise of the powers or the discharge of the duties of the board, be paid to the appointed guardians such remuneration, and to any persons appointed to advise the appointed guardians such reasonable allowance on account of travelling expenses and by way of subsistence, as the Minister may approve.

(5) If before the date on which an order is made under this Act in respect of any board of guardians the clerk or any other officer of the board has, on the directions of the Minister, incurred any liabilities in connection with the relief of the poor in the poor law union, the appointed guardians may discharge those liabilities out of any moneys in their hands as aforesaid.

Short title and application.

2.—(1) This Act may be cited as the Boards of Guardians (Default) Act, 1926.

(2) This Act shall not apply to Northern Ireland.

CHAPTER 21.

An Act to amend the Markets and Fairs (Weighing of Cattle) Acts, 1887 and 1891.

[15th July 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Disclosure of weight of fat cattle on sale by auction.

1.—(1) Subject to the provisions of this Act an auctioneer shall not offer for sale in any market, fair, or mart, in or near which a weighing machine is provided for the purpose of complying with the provisions of the principal Acts, any cattle which are fit for immediate slaughter unless they have been weighed on the weighing machine and their weight as so ascertained is disclosed to intending purchasers at the time of the offer for sale, either by announcement made by the auctioneer or in some other manner calculated to bring it to their notice.

(2) Any auctioneer who offers for sale any cattle in contravention of this section shall be liable on summary conviction to a fine not exceeding forty shillings for each head of cattle so offered for sale.

(3) In this section the expression "cattle" means bulls, cows, oxen and heifers.

(4) The Minister may by order declare that the foregoing provisions of this Act shall not apply as respects any market, fair or mart.

Extension of powers of Minister to grant exemption from provisions of principal Acts.
50 & 51 Vict. c. 27.
54 & 55 Vict. c. 70.

2. So much of section nine of the Act of 1887 as prevents the Minister from making an order under that section on any ground except that the sale of cattle at a market or fair is, or is likely to be, so small as to render it inexpedient to enforce the provision and maintenance of a place for weighing cattle and of a weighing machine under that Act, shall cease to have effect, and the power of the Minister under the said section to exempt any market or fair from the requirements of that Act as to the provision and maintenance of facilities for weighing cattle, and the power of the Minister under section four of the Act of 1891 to exempt an auctioneer from the requirements of that section in respect of the sale of cattle at a mart, may be exercised respectively with respect to any market or fair and with respect to any auctioneer where the circumstances are in the opinion of the Minister such as to render the enforcement of those requirements inexpedient.

Tolls for weighing cattle.

3. The Act of 1887 shall have effect as if for the Schedule to that Act (which prescribes tolls which may be demanded in respect of the weighing of cattle) there were substituted the Schedule to this Act.

Interpretation, short title, commencement, citation and extent.

4.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"The Minister" means, as respects England and Wales, the Minister of Agriculture and Fisheries, and as respects Scotland, the Board of Agriculture for Scotland.

"The Act of 1887" means the Markets and Fairs (Weighing of Cattle) Act, 1887.

"The Act of 1891" means the Markets and Fairs (Weighing of Cattle) Act, 1891.

"The Principal Acts" means the Markets and Fairs (Weighing of Cattle) Acts, 1887 and 1891.

(2) This Act may be cited as the Markets and Fairs (Weighing of Cattle) Act, 1926, and shall come into operation on the first day of January, nineteen hundred and twenty-seven; and this Act and the principal Acts may be cited together as the Markets and Fairs (Weighing of Cattle) Acts, 1887 to 1926.

(3) This Act shall not apply to Northern Ireland.

SCHEDULE.

For every head of cattle other than sheep or swine.	Not exceeding sixpence.
For every five or less number of sheep or swine.	Threepence.

CHAPTER 22.

An Act to grant certain duties of Customs and Inland Revenue (including Excise), to alter other duties, and to amend the law relating to Customs and Inland Revenue (including Excise) and the National Debt, and to make further provision in connection with finance.

[4th August 1926.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards raising the necessary supplies to defray Your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto Your Majesty the several duties hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

Customs and Excise.

Duty on tea.

15 & 16 Geo. 5. c. 36.
9 & 10 Geo. 5. c. 32.

1. The duty of customs payable on tea until the first day of August, nineteen hundred and twenty-six, under section one of the Finance Act, 1925, shall, subject to the provisions of section eight of the Finance Act, 1919 (which relates to imperial preference rates), continue to be charged, levied and paid until the first day of August, nineteen hundred and twenty-seven, that is to say—

Tea - - - the lb., fourpence.

Continuation of increased medicine duties.
5 & 6 Geo. 5. c. 89.

2. The additional duties of excise imposed by section eleven of the Finance (No. 2) Act, 1915, upon medicines liable to duty shall continue to be charged, levied and paid until the first day of August, nineteen hundred and twenty-seven.

Exemption of trade motor cars

3. The exemption from customs duty which is given by subsection (4) of section thirteen of the Finance

(No. 2) Act, 1915, as applied by section three of the Finance Act, 1925, in respect of motor cars which are proved to the satisfaction of the Commissioners to be constructed and adapted for use and intended to be used solely for certain trade or other purposes, and chassis, component parts and accessories which are so proved to be intended to be used solely for any such motor cars, shall be deemed to have ceased as from the first day of May, nineteen hundred and twenty-six, except as respects any such cars, chassis, parts or accessories which are shown to the satisfaction of the Commissioners to have been imported and entered before the said first day of May:

from customs duty to cease.

Provided that, notwithstanding any repeal effected by this Act, the last paragraph of the said subsection (4) shall continue to have effect in relation to any motor car, chassis, component part or accessory which is shown to the satisfaction of the Commissioners to have been imported and entered before the said first day of May.

Repeal of excise duty on chicory.

4. As from the commencement of this Act, no duty of excise shall be chargeable on chicory.

Amendment as to certain silk duties and drawbacks.

5.—(1) In the case of silk tissue of which the warp or weft consists of yarn wholly or partly discharged and the weft or warp of undischarged yarn, the duty payable in respect of the tissue shall, instead of being charged at the rate of seven shillings and ninepence the pound as provided by Part I. of the Second Schedule to the Finance Act, 1925, be charged at the rate of five shillings and threepence the pound in respect of the undischarged yarn and at the rate of seven shillings and ninepence the pound in respect of the yarn wholly or partly discharged which is contained therein.

(2) Where, on or after the first day of August, nineteen hundred and twenty-six, any article of apparel made wholly or partly of silk is imported by any person for his own use and not for sale, the article, instead of being charged with duty in accordance with the provisions of Part I. of the Second Schedule to the Finance Act, 1925, may, at the option of the importer, be charged with a duty calculated on the whole weight of the article at a rate equal to twice the rate of the duty chargeable under the said Part I. in respect of the class of silk contained in the article.

For the purposes of this subsection—

(i) The expression "silk" includes artificial silk;

(ii) Where silk of several classes is contained in the article, the article shall be chargeable with duty as if all the silk so contained were silk of that one of those classes in respect of which the highest rate of duty is payable under the said Part I.;

(iii) In determining the class to which any silk belongs, regard shall be had to the stage of manufacture in which the silk appears in the article.

(3) The drawback payable in respect of any silk or artificial silk yarn or tissue manufactured in Great Britain or Northern Ireland, which consists of more than one kind of yarn or tissue, shall be calculated by reference to the weight of each kind of yarn or tissue in the article in respect of which the drawback is claimed at the rate appropriate to that kind of yarn or tissue under the Finance Act, 1925.

(4) Paragraph 10 of Part III. of the said Second Schedule (which makes provision for an alternative scale of drawbacks in respect of artificial silk), shall be extended so as to apply to tissues of silk in respect of which under Part II. of the said Second Schedule drawback is allowed at the rates of four shillings and threepence the pound and five shillings and sixpence the pound respectively, and Part IV. of the said Second Schedule shall be amended by the insertion after the words "Part IV." of the following—

"ALTERNATIVE SCALE OF DRAWBACKS IN RESPECT OF CERTAIN SILK TISSUES.

	If made from imported yarn on which a duty of customs was paid.		If made from yarn produced in Great Britain or Northern Ireland from materials on which a duty of customs was paid.	
	s.	*d.*	*s.*	*d.*
"Silk tissues in respect of which drawback under Part II. of this Schedule is allowed at the rate of 4*s.* 3*d.* the pound the lb.	5	3	4	0
"Silk tissues in respect of which drawback under Part II. of this Schedule is allowed at the rate of 5*s.* 6*d.* the pound the lb.	7	9	4	3,"

and by the insertion at the end thereof of the following:—

		s.	*d.*
" Made from imported doubled or twisted thread on which customs duty of 3*s.* a lb. has been paid - -	the lb.	3	5."

(5) Where by virtue of the last preceding subsection drawback in respect of tissue (being tissue manufactured in Great Britain or Northern Ireland) which is loaded is payable under the alternative scale contained in Part IV. of the said Second Schedule, as amended by this Act, the amount of the drawback shall, notwithstanding anything in paragraph 1 of Part III. of the said Second Schedule, be reduced by thirty per cent., unless the Commissioners are satisfied that the tissue was manufactured from imported yarn which was loaded at the time of importation.

(6) Part II. of the Second Schedule to the Finance Act, 1925 (which relates to drawbacks on silk and artificial silk), shall have effect as though after the words " In any other case . . . the lb., 5*s.* 6*d.*" there were inserted the following:—

" Waste, dressed or otherwise prepared for spinning—

Wholly discharged - -	the lb.	3*s.*
Not wholly discharged -	the lb. . . .	1*s.*
Noils - - - -	the lb. . . .	1*s.*",

and as though after the words " Artificial silk . . . the lb., 1*s.* 9*d.*," there were inserted the following:—

" Waste, prepared for spinning, including tops - - -	the lb. . . .	6*d.*"

Provisions for securing customs and excise duties imposed by ways and means resolutions not having statutory effect. 3 & 4 Geo. 5. c. 3.

6.—(1) Where a resolution providing for the imposition as from a specified date of a customs duty or an excise duty in respect of any goods (not being a resolution to which statutory effect can be given under section one of the Provisional Collection of Taxes Act, 1913), is passed by the Committee of Ways and Means of the House of Commons (being a Committee of the whole House) the following provisions shall have effect.

(2) If the duty so imposed is a customs duty, the Commissioners may require any person who, on or after the specified date, imports any goods to which the resolution applies to give security that he will, if and when an Act giving effect to the resolution comes into

operation, pay the duty chargeable in respect of the goods under that Act.

(3) If the duty is an excise duty, the Commissioners may make regulations for the purpose of securing the payment of such duty as may by law become chargeable in the event of an Act giving effect to the resolution coming into operation, and may by those regulations apply to the duty and to any trade or business in connection with which the duty may become chargeable and to any premises used for the purpose of that trade or business any enactments relating to excise.

If any person contravenes or fails to comply with any regulations so made, he shall be liable to an excise penalty of fifty pounds and the goods in respect of which the offence is committed shall be forfeited.

Stabilisation of rates of imperial preference.

7.—(1) Where immediately before the first day of July, nineteen hundred and twenty-six, the duty of customs chargeable in respect of any article was by virtue of section eight of the Finance Act, 1919, as amended by any other enactment, chargeable at a preferential rate in the case of any such article being an Empire product, that article shall, during a period of ten years beginning on the said day, be charged, if an Empire product, with a customs duty at a preferential rate representing the full rate of the customs duty for the time being in force reduced by an amount equal to the difference between the full rate of the duty in force on the said day and the preferential rate in force on the said day, or, where the customs duty is chargeable at a rate representing a proportion of the value of the article, reduced by an amount representing the proportion of the value of the article by which the amount of the preferential rate in force on the said day was less than the amount of the full rate in force on the said day:

Provided that, if at any time during the period aforesaid the full rate of the customs duty chargeable in respect of any article is decreased so as to be equal to or less than the amount of the reduction to be allowed as aforesaid, that article, if an Empire product, shall be free of duty.

(2) If the duty of customs on molasses, coffee, chicory or tobacco being an Empire product is at any time by virtue of this section payable at a rate lower

than the rate which would have been payable in respect of the article if this section had not passed, any drawback or allowance payable in respect thereof shall be reduced to an amount bearing to the full customs drawback or allowance the same proportion as the reduced rate of duty bears to the full customs rate of duty for the time being in force, except that mixtures of coffee and chicory shall for the purposes of this subsection be treated as if they consisted of chicory alone.

(3) In this section the expression "Empire product" means such an Empire product as is entitled to a preferential rate under section eight of the Finance Act, 1919.

Remission of customs duties in case of antique articles.

8. As from the first day of May, nineteen hundred and twenty-six, customs duties shall not be charged in respect of any goods (other than spirits or wines) which are proved to the satisfaction of the Commissioners to have been manufactured or produced more than one hundred years before the date of importation.

Time for payment of beer duty. 43 & 44 Vict. c. 20.

9. The maximum period for which the Commissioners may, in pursuance of their powers under section sixteen of the Inland Revenue Act, 1880, defer the payment of beer duty shall be a period of one month, instead of a period of two months, from the fifteenth day of the month succeeding the month in which the duty was charged.

Continuation and amendment of Part I. of Safeguarding of Industries Act, 1921. 11 & 12 Geo. 5. c. 47.

10.—(1) Part I. of the Safeguarding of Industries Act, 1921, which is limited to expire on the nineteenth day of August, nineteen hundred and twenty-six, shall, as amended by this section, continue in force for a further period of ten years from the said day.

(2) As from the first day of May, nineteen hundred and twenty-six, the duties charged by the said Part I. on optical glass and the other goods specified in the first paragraph of the Schedule to the said Act shall be duties equal to one-half instead of duties equal to one-third of the value of the goods, and the duty thereby charged on arc-lamp carbons shall be a duty at the rate of one shilling per pound weight instead of a duty equal to one-third of the value of the goods.

(3) As from the first day of May, nineteen hundred and twenty-six, Part I. of the said Act shall have effect as though the following goods were included in the Schedule to the said Act, that is to say—

(i) component parts of such optical instruments as are chargeable with duty under section one of the said Act;

(ii) component parts of such scientific instruments as are chargeable with duty under section one of the said Act;

(iii) amorphous carbon electrodes, but not including primary battery carbons or arc-lamp carbons;

(iv) molybdenum, ferro-molybdenum and molybdenum compounds, and vanadium, ferro-vanadium and vanadium compounds (but not including ores or minerals of molybdenum or vanadium),

except that in the case of component parts of optical instruments the duty to be charged shall be a duty equal to one-half instead of one-third of the value of the goods.

(4) For the purpose of the decision of complaints under subsection (5) of section one of the said Act there shall be constituted a panel of persons of special scientific attainments to be appointed by the President of the Board of Trade, and a complaint under the said subsection, instead of being referred to the arbitration of the referee appointed under the said subsection, shall be referred to the arbitration of a tribunal consisting of the said referee and of two persons selected by the Lord Chancellor for the purpose of the hearing of that complaint from the panel to be constituted as aforesaid, and the decision of the said tribunal, or of the majority of the members thereof, shall have effect as if it were a decision of the referee under the said subsection.

(5) The Treasury may by order exempt from the duty imposed by section one of the Safeguarding of Industries Act, 1921, as amended by this Act, for such period as may be specified in the order, any article in respect of which the Board of Trade are satisfied on a representation made by a consumer of that article that

the article is not made in any part of His Majesty's Dominions in quantities which are substantial having regard to the consumption of that article for the time being in the United Kingdom, and that there is no reasonable probability that the article will within a reasonable period be made in His Majesty's Dominions in such substantial quantities.

Customs duty on wrapping paper.

11.—(1) During a period of five years beginning on the first day of May, nineteen hundred and twenty-six, a duty of customs equal to sixteen and two-thirds per cent. of the value of the goods shall be charged, levied and paid on the importation into Great Britain or Northern Ireland of the following goods, that is to say—

Paper, whether in sheets or rolls or otherwise, of any description known as packing or wrapping paper, including tissue paper, of a weight when fully extended equivalent to more than ten pounds but not more than ninety pounds to the ream of four hundred and eighty sheets of double crown measuring thirty inches by twenty inches, and articles made either entirely from such paper or from such paper with the addition only of some adhesive substance or other material the value of which does not exceed one-sixth of the total value of the whole article.

(2) For the purpose of this section packing or wrapping paper and tissue paper include any such paper which has been coated or otherwise treated in any manner, but this section shall not extend to vegetable parchment, glazed transparent paper, grease-proof paper, paper which forms part of another article, or paper, or any article made of paper, which at the time of importation is in use as wrapping or packing or as a container of other goods.

15 & 16 Geo. 5. c. 79.

(3) The provisions of the Safeguarding of Industries (Customs Duties) Act, 1925, shall apply to the goods chargeable with duty under this section and to the duty imposed by this section as they apply to the articles chargeable with duty under that Act and the duties imposed by that Act.

Power to exempt articles of small value from certain customs duties.

12.—(1) Where it appears to the Treasury, after consultation with the Board of Trade, as respects—

(*a*) any articles liable to duty under the Safeguarding of Industries Act, 1921, as amended by this Act; or

(*b*) any articles, or articles of any class, liable to duty under section six of the Finance Act, 1925, as consisting of or containing lace or embroidery,

to be inexpedient, having regard to the nature or small value of the articles, or in the case of articles containing lace or embroidery, having regard to the small value of that lace or embroidery, that duty should be charged thereon, the Treasury may by order exempt those articles or articles of that class, from duty under the said enactments.

(2) Any order made by the Treasury after the commencement of this Act under this section or under any other enactment for exempting any articles from duties of customs may be varied or amended by another order made under this section or under that other enactment, as the case may be.

Alteration of duties on licences for mechanically propelled vehicles.
10 & 11 Geo. 5. c. 18.

13. As from the first day of January, nineteen hundred and twenty-seven, section thirteen of the Finance Act, 1920, which imposes duties of excise on mechanically-propelled vehicles, shall, as amended by any subsequent enactment, have effect as if the rates of duties set out in the First Schedule to this Act were substituted for the rates set out in paragraphs 3, 4 and 5 of the Second Schedule to the said Act.

Provisions as to recovery of, and claims for repayments in connection with, duties on mechanically-propelled vehicles.

14.—(1) Where the amount of the excise duty which has been paid in respect of a licence for a mechanically-propelled vehicle is less than the amount payable on the licence appropriate to that vehicle, the amount of the deficiency shall be a debt due to the council of the county or county borough with which the vehicle is for the time being registered, and that council may take proceedings for the recovery of that amount at any time before the expiration of the year next following the year in respect of which, or of part of which, the licence was taken out.

(2) No proceedings shall be brought for enforcing any repayment of duty to which a person may be entitled under paragraph 6 of the Second Schedule to the Finance Act, 1920, or any other repayment to which a person may be entitled in respect of any over-payment of duty made on a licence taken out by him in respect of a mechanically-propelled vehicle, unless the proceedings are brought before the expiration of the year next following the year in respect of which, or of part of which, the licence was taken out.

PART II.

BETTING DUTY.

Duties on betting and on certificates required in respect of bookmakers' business and premises.

15.—(1) There shall, on and after the first day of November, nineteen hundred and twenty-six, be charged, levied and paid the following duties of excise, that is to say:—

(*a*) On every bet made with a bookmaker a duty (in this Part of this Act referred to as "betting duty") at a rate equal to three-and-a-half per centum of the amount paid or offered, or promised to be paid to, or to the order or for the use of, the bookmaker, or in the case of a bet in respect of a horse race made on any ground used for the purpose of a racecourse for racing with horses, or on any ground adjacent thereto, on a day on which horse racing takes place thereon, and made with a bookmaker attending at that ground by a person so attending, equal to two per centum of that amount:

(*b*) On a certificate (in this Part of this Act referred to as "a bookmaker's certificate") to be taken out annually by a person carrying on the business of a bookmaker, a duty of ten pounds:

(*c*) On a certificate (in this Part of this Act referred to as "an entry certificate") to be taken out annually by a bookmaker in respect of the entry for any betting premises kept or used by him, a duty of ten pounds.

(2) Nothing in this Part of this Act shall operate so as to render lawful any betting in any manner or place in which it is at the commencement of this Part

of this Act unlawful, or so as to authorise the writing, printing, publication or sending of any notice, circular or advertisement which is at that time unlawful.

(3) Betting duty shall be payable by the bookmaker with whom the bet is made, and every bookmaker (other than a bookmaker who has made an arrangement approved by the Commissioners for furnishing returns of all bets made with him and has given security up to an amount and in a manner approved by the Commissioners for the payment of the betting duty thereon) with whom a bet is made shall immediately on the making of the bet issue to the person by whom the bet is made a ticket (not before used) in the prescribed form denoting that the proper betting duty has been paid (in this Part of this Act referred to as " a revenue ticket ").

(4) Any betting duty not paid by means of a revenue ticket shall be recoverable from the bookmaker with whom the bet was made as a debt due to the Crown, and, if the amount of the duty is less than fifty pounds, may, without prejudice to any other means of recovery, be recovered by the Commissioners summarily as a civil debt.

(5) Bookmakers' certificates and entry certificates—

- (*a*) shall be in the prescribed form;
- (*b*) shall be granted only on payment of the duty chargeable thereon;
- (*c*) shall expire on the thirty-first day of October in every year.

(6) References in this Part of this Act to a " certificate " shall, unless the context otherwise requires, be construed as references to both a bookmaker's certificate and an entry certificate.

Supplemental provisions as to betting duty.

16.—(1) The Commissioners may make regulations for securing the payment of betting duty and of the duties payable in respect of certificates and generally for carrying the provisions of this Part of this Act into effect, and in particular—

- (*a*) for regulating the supply and use, and prescribing the form, of revenue tickets, and for securing the defacement of revenue tickets when used;
- (*b*) for prescribing the form of certificates and the form in which entry is to be made of betting premises;

(*c*) for requiring the production by bookmakers of their certificates and of any books, accounts, vouchers, revenue tickets or other documents relating to the business carried on by them as such, and for authorising any officer to examine and take copies of or extracts from any such documents;

(*d*) for granting to a bookmaker a rebate of betting duty in cases where the whole or any part of the liability in respect of a bet accepted by him is shown to the satisfaction of the Commissioners to have been transferred by him to another bookmaker by means of a fresh bet made by him with that other bookmaker.

(2) Any officer authorised by the Commissioners for the purpose may enter any place where for the time being betting with bookmakers is being carried on, and also any betting premises, with a view to seeing whether the provisions of this Act and of any regulations made thereunder as to betting duty are being complied with.

If any person prevents or obstructs the entry of any officer so authorised, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) The provisions, including the penal provisions, of the Stamp Duties Management Act, 1891, as amended by any subsequent enactment, and section sixty-five of the Post Office Act, 1908, shall apply to revenue tickets as if those tickets were stamps and as if for references therein to the Commissioners of Inland Revenue there were substituted references to the Commissioners.

54 & 55 Vict. c. 38.
8 Edw. 7. c. 48.

(4) The Commissioners may, if they think fit, by agreement in writing with any police authority arrange for the exercise by that authority, either concurrently with the Commissioners or to the exclusion of the Commissioners, of any powers of the Commissioners in relation to the duties chargeable under this Part of this Act, and, so far as may be required for the purpose of giving effect to any such arrangement, the provisions of this Part of this Act and any regulations made thereunder shall have effect as if the police authority and any officer authorised by that authority were mentioned therein in addition to, or were substituted for, the Commissioners and an officer of customs and excise.

Any such arrangement with a police authority may provide for the payment out of moneys provided by Parliament of any expenses incurred by the authority in carrying out the arrangement.

Penalties, disqualification, &c.

17.—(1) If any person—

(*a*) contravenes or fails to comply with any of the provisions of this Part of this Act or of any regulations made thereunder; or

(*b*) carries on business as a bookmaker without having in force a proper certificate; or

(*c*) keeps or uses any betting premises in respect of which there is not a proper entry certificate in force, or assists or is concerned in the management of any such premises;

he shall (without prejudice to his liability to any other penalty or his liability to pay any sum in respect of duty under this Part of this Act) be liable, in respect of each offence, to an excise penalty of one hundred pounds.

(2) Any person—

(*a*) who is found committing the offence of accepting a bet without issuing a revenue ticket; or

(*b*) who, on being duly required in accordance with the provisions of any regulations made under this Part of this Act to produce a bookmaker's certificate, fails so to do;

may without any warrant be arrested by any officer.

(3) Any court before which a bookmaker is convicted of any offence under this Part of this Act or otherwise in connection with his business as a bookmaker, may order him to be disqualified for holding a bookmaker's certificate for such period as the court may think fit, and any such certificate held by him shall, so long as the disqualification continues, be of no effect, and if any person applies for or obtains such a certificate while he is so disqualified he shall be liable to an excise penalty of one hundred pounds, and any certificate so obtained shall be of no effect:

Provided that a person who by virtue of an order made under this section is disqualified for obtaining a bookmaker's certificate may, at any time after the expiration of three months from the date of the order, make from time to time an application to the court by which the order was made to remove the disqualification, and on any such application the court may by order, as it thinks proper having regard to the character of the person and to his conduct subsequent to conviction, the nature of the offence and the other circumstances of the case, either remove the disqualification as from such date as may be specified in the order, or refuse the application, and may in any event make such order as to costs as it thinks proper.

A court making any order under this subsection shall cause particulars of the order to be endorsed on any certificate affected by the order and shall send notice of the order to the Commissioners.

Interpretation and extent of Part II.

18.—(1) In this Part of this Act, unless the context otherwise requires—

The expression "bet" means a bet on an event of any kind;

The expression "bookmaker" means any person who, whether on his own account or as servant or agent to any other person, carries on, whether occasionally or regularly, the business of receiving or negotiating bets, or who in any manner holds himself out or permits himself to be held out in any manner as a person who receives or negotiates bets;

The expression "betting premises" means any premises which are kept or used for the purpose of making, receiving or negotiating in any manner whatsoever bets on credit, or which are in any manner held out as being kept or used for any such purpose;

The expression "officer" means an officer of customs and excise, and includes any person expressly authorised by the Commissioners to perform the duties of an officer of customs and excise for the purposes of this Part of this Act;

The expression "police authority" means a police authority within the meaning of the Police Pensions Act, 1921. 11 & 12 Geo. 5. c. 31.

Part III.

Income Tax.

Charge of Tax and Miscellaneous.

Income tax and super-tax for 1926–27.

19.—(1) Income tax for the year 1926–27 shall be charged at the rate of four shillings, and the rates of super-tax for that year shall, for the purposes of section four of the Income Tax Act, 1918, as amended by the Finance Act, 1920, be the same as those for the year 1925–26.

15 & 16 Geo. 5. c. 87.

(2) All such enactments relating to income tax and super-tax respectively as were in force with respect to the duties of income tax and super-tax granted for the year 1925–26 shall, subject to the provisions of the Tithe Act, 1925, have full force and effect with respect to the duties of income tax and super-tax respectively granted by this Act.

(3) The annual value of any property which has been adopted for the purpose of income tax under Schedules A and B for the year 1925–26 shall be taken as the annual value of that property for the same purpose for the year 1926–27:

32 & 33 Vict. c. 67.

Provided that this subsection shall not apply to lands, tenements and hereditaments in the administrative county of London with respect to which the valuation list under the Valuation (Metropolis) Act, 1869, is by that Act made conclusive for the purposes of income tax.

Provision as to making of claims, &c., under proviso to s. 24 (1) of Finance Act, 1920.

20. The provisions of section nineteen of the Finance Act, 1925, prescribing the procedure with respect to the making of certain claims and with respect to applications to have such claims determined by the Special Commissioners, shall apply to claims which an individual is entitled to make by virtue of the proviso to subsection (1) of section twenty-four of the Finance Act, 1920 (which proviso exempts from the provisions of the said section twenty-four individuals who satisfy the Commissioners of Inland Revenue with respect to certain matters), in the same manner as they apply to the claims mentioned in the said section nineteen, but with the substitution in subsection (2) thereof of three months for twenty-one days.

21. Section eighteen of the Finance Act, 1925 (which provides for a half-yearly instead of a quarterly assessment of weekly wage earners), shall have effect in relation to the year 1926–27 and every subsequent year of assessment as it had effect in relation to the year 1925–26, and the words "for the year 1925–26" in the said section are hereby repealed.

Provisions of s. 18 of Finance Act, 1925, to be permanent.

22.—(1) Where it is provided by the Income Tax Acts that income tax in respect of profits or gains or income from any source or in respect of the property in lands, tenements, hereditaments or heritages is to be computed by reference to the amount of the profits or gains or income of some period preceding the year of assessment, then, notwithstanding that no profits or gains or income arise from that source or that property for or within the year of assessment, income tax as so computed shall be charged for that year, and section one of the Income Tax Act, 1918, shall be construed and have effect accordingly, except that paragraph (1) of Rule 3 of the Miscellaneous Rules applicable to Schedule D shall not apply in any case where the person charged to tax has not within the year of assessment ceased to possess the source of the profits or gains or income or the property.

Income tax computed on profits of previous period to be charged though no profits in year of assessment.

8 & 9 Geo. 5. c. 40.

(2) The foregoing provisions of this section shall be deemed always to have had effect in relation to income tax chargeable in respect of the annual value of lands, tenements, hereditaments or heritages falling within No. II or No. III of Schedule A, in relation to profits falling within Rule 8 of the Rules applicable to Schedule B and in relation to profits or gains falling within Cases I, II or VI of Schedule D.

23.—(1) The Agreement made the fourteenth day of April, nineteen hundred and twenty-six, between the British Government and the Government of the Irish Free State in respect of double income tax (which Agreement is set out in Part I. of the Second Schedule to this Act) is hereby confirmed, and shall have effect, with respect to exemption or relief to be granted from British income tax and super-tax, for the year 1926–27 and any subsequent year, provided that, with respect to exemption or relief to be granted from Irish Free State income tax and super-tax, it has effect for that year by virtue of an Act of the Legislature of the Irish Free State.

Relief from double taxation in respect of British income tax and Irish Free State income tax.

(2) For the purpose of giving effect to the said agreement, the Income Tax Acts in relation to persons resident in Great Britain or Northern Ireland, whether or not also resident in the Irish Free State, and to persons intrusted with payment to persons so resident, and in relation to claims by persons resident in the Irish Free State, shall for any year for which the said agreement is in force have effect subject to the modifications set forth in Part II. of the said Second Schedule.

Income tax on dividends payable out of public revenue of Northern Ireland.

24.—(1) In Rule 1 of the Rules applicable to Schedule C which relate to interest, &c., with the payment of which persons other than the Bank of England, the Bank of Ireland and the National Debt Commissioners are intrusted, after the words "dividends which are payable" there shall be inserted the words "out of the public revenue of Northern Ireland or which are payable," and after the words "other than that of the United Kingdom" there shall be inserted the words "or of Northern Ireland."

(2) At the end of Rule 5 of the said Rules, the following proviso shall be inserted:

"Provided that this Rule shall not apply to any person intrusted with the payment of dividends payable out of the public revenue of Northern Ireland."

Provisions in connection with appeals.

25.—(1) In the case of an appeal against an assessment made under Schedule D or according to the rules applicable to that Schedule, the appellant shall in the notice of appeal specify the grounds of the appeal:

Provided that, if on the hearing of the appeal the appellant desires to go into any ground of appeal which was not specified in the notice and the omission of that ground from the notice was, in the opinion of the Commissioners hearing the appeal, not wilful or unreasonable, those Commissioners shall not, by reason of anything in this subsection, be precluded from allowing the appellant to go into that ground or taking it into their consideration.

(2) Notwithstanding that the hearing of an appeal against any such assessment either—

(*a*) has been postponed under subsection (3) of section one hundred and thirty-six of the Income Tax Act, 1918; or

(*b*) has been adjourned,

beyond the time limited for hearing appeals, the General Commissioners shall nevertheless proceed to allow and confirm the assessment as required by subsection (3) of section one hundred and twenty-two of the said Act:

Provided that—

(i) pending the determination of the appeal, the allowance and confirmation of the assessment shall be deemed to be in respect of such amount only of the tax thereby assessed as appears to the General Commissioners not to be in dispute, and tax shall be collected and paid in that amount in all respects as if it were tax charged by an assessment in respect of which no appeal was pending; and

(ii) on the determination of the appeal any balance of tax chargeable in accordance with the determination shall be payable or any tax overpaid shall be repaid, as the case may require.

Amendment as to deduction of income tax from rent.

26. Rule 1 of No. VIII. of Schedule A shall have effect as though after the words "person receiving the "rent shall" there were inserted the words "on pro-"duction of the receipt for the payment of the tax," and Rule 2 thereof shall have effect as though for the words "who pays the tax" there were substituted the words "to whom a deduction is to be allowed under "the preceding rule."

Amendment of s. 24 of Finance Act, 1923. 13 & 14 Geo. 5. c. 14.

27. In the case of an assessment to income tax made at any time after the fifth day of April, nineteen hundred and twenty-three, an application under section twenty-four of the Finance Act, 1923 (which relates to relief in respect of error or mistake), may be made at any time not later than six years after the end of the year of assessment within which the assessment was made.

PART IV.

INCOME TAX.

Basis of Assessment.

Transfer of certain property

28. Income tax in respect of the property in the lands, tenements, hereditaments or heritages mentioned in the first column of the Table contained in the from Sch. A to Sch. D.

Third Schedule to this Act shall cease to be chargeable under Schedule A, and shall become chargeable under the Case of Schedule D mentioned in the second column of the said Table, and the Rules applicable to each such Case, including the provisions of this Act amending those Rules, shall apply accordingly, but subject to the provisions contained in the third column of the said Table:

11 & 12 Geo. 5. c. 32.

Provided that sections thirty-seven, thirty-eight and thirty-nine of the Income Tax Act, 1918, and section thirty of the Finance Act, 1921 (which provide for giving relief from income tax to certain charities, friendly societies and other bodies) shall be construed as if any income tax chargeable by virtue of this section under Schedule D instead of under Schedule A had remained chargeable under Schedule A.

Method of computing profits under Schedule D.

29.—(1) Such enactments in the Income Tax Acts as provide that income tax under Schedule D shall in certain cases be computed on the full amount of the balance of the profits or gains, or on the full amount of the income, upon an average of three years, and so much of Rules 1 and 2 of the Rules applicable to Case IV of Schedule D as provides that income tax under that Case shall be computed on the full amount of the income which arises, or which has been or will be received, in the year of assessment, shall cease to have effect, and any income tax in respect of profits or gains or income chargeable under Case I, Case II, Case IV, or Case V of Schedule D which would but for the foregoing provisions of this section have been computed as aforesaid shall be computed, subject to the provisions of this Part of this Act and subject as hereinafter provided, on the full amount of the profits or gains or income of the year preceding the year of assessment:

Provided that—

(*a*) Any person charged with income tax in respect of the profits or gains of any trade, profession or vocation which has been set up or commenced within the year preceding the year of assessment shall be entitled, on giving notice in writing to the surveyor within twelve months after the end of the year of assessment, to be charged to income tax on the amount of the profits or gains of the year of assessment; and (*b*) In the case of income tax chargeable under Case IV or Case V of Schedule D—

(i) income tax shall be computed, as respects the year of assessment in which the income first arises, on the full amount of the income arising within that year:

(ii) where the income first arose on some day in the year preceding the year of assessment other than the sixth day of April, income tax shall be computed on the income of the year of assessment:

(iii) where the income first arose on the sixth day of April in the year preceding the year of assessment, or on some day in the year next before the year preceding the year of assessment other than the sixth day of April, the person charged shall be entitled, on giving notice in writing to the surveyor within twelve months after the end of the year of assessment, to be charged on the amount of the income of that year, and if the tax charged has been paid, any tax overpaid shall be repaid:

(iv) references in this proviso to income which arises or which arose shall, in cases where income tax is to be computed by reference to the amount of income received in Great Britain or Northern Ireland, be construed as references to income which is or was so received.

(2) The foregoing provisions of this section shall not apply for the purposes of the computation of profits or gains chargeable under Case VI of Schedule D or according to the Rules applicable to that Case, but Rule 2 of those Rules shall be amended so as to provide that the computation of profits or gains so chargeable shall in no case be made according to an average of a period greater than one year.

(3) If any person who for the year 1926–27 was assessed and charged under Schedule D or according to the Rules applicable to that Schedule in respect of profits or gains or income arising from any source upon an average of a period of three years or more proves that the profits or gains or income of either of the first two

See Finance Act
1927 s. 22

of the three years upon the average of which he would, but for the provisions of this section, have been charged for the year 1927–28 were less than the profits or gains or income for one year upon an average of the six years preceding those three years, or, if he was not in possession of the source of the profits or gains or income during the six years aforesaid, upon an average of the less period preceding the said three years during which he was so in possession, he shall, on giving notice in writing to the surveyor not later than the fifth day of October, nineteen hundred and twenty-seven, that he desires so to be charged, be charged to tax for both the years 1927–28 and 1928–29 in respect of the profits or gains or income arising from that source on the amount on which he would have been charged if this section had not passed:

Provided that for the purpose of the foregoing provision a person shall be treated as having been in possession of the source of any profits or gains or income during any year if during that year he was in possession of the source on his own account or the source was in the possession of a partnership of which he was a partner.

This subsection shall apply to persons in partnership as it applies to a person, and persons in partnership shall be deemed to have been in possession of the source of any profits or gains or income during any year if any of them was during that year in possession of the source on his own account or the source was in the possession of a partnership of which he was a partner.

Provisions as to charge of tax under certain Cases of Schedule D.

30. All profits or income in respect of which any person is chargeable either under Rule 1 of the Rules applicable to Case III of Schedule D, or under Case IV of Schedule D or under Case V of Schedule D may respectively be assessed and charged in one sum:

Provided that—

(i) If in any year of assessment any person charged or chargeable in respect of any such profits or income as aforesaid ceases to possess any particular source of any such profits or income or any part of any such source, income tax in respect of the profits or income from that source or that part shall be computed separately, and the provisions of the section in this Part of this Act which relates to the discontinuance of a trade, profession or vocation, shall, subject to the necessary modifications, apply in any such case as if the cesser of the possession of the source or part were the discontinuance of a trade:

(ii) If in any year of assessment any person acquires a new source of any such profits or income or an addition to any source of any such profits or income, income tax in respect of the profits or income from that source or from the addition to that source shall be computed separately, and in the case of profits or income chargeable under Rule 1 of the Rules applicable to Case III the provisions of paragraph (1) of Rule 2 of those Rules shall apply, and in the case of profits or income chargeable under Case IV or Case V of Schedule D the provisions of proviso (*b*) to subsection (1) of the last preceding section of this Act shall apply:

(iii) Where any income in respect of which any person has previously been charged or chargeable under Case IV or Case V of Schedule D becomes at any time chargeable to tax by deduction under the provisions of Rule 7 of the Miscellaneous Rules applicable to Schedule D, the provisions of paragraph (i) of this proviso shall apply as if that person had at the time aforesaid ceased to possess the security or possession from which the income arises:

(iv) Where income arising to any person from any security or possession in any place out of Great Britain and Northern Ireland ceases at any time to be chargeable to income tax by deduction under the provisions of Rule 7 of the Miscellaneous Rules applicable to Schedule D, the provisions of paragraph (ii) of this proviso shall apply as if that security or possession were a new source of income acquired by that person at that time.

Provisions as to discontinuance of trades, &c.

31.—(1) Where in any year of assessment a trade, profession or vocation is permanently discontinued, then, notwithstanding anything in this Part of this Act—

(*a*) the person charged or chargeable with tax in respect thereof shall be charged for that year on the amount of the profits or gains of the period beginning on the sixth day of April in that year and ending on the date of the discontinuance, subject to any deduction or set-off to which he may be entitled under the section of this Part of this Act which provides for relief in respect of certain losses or under Rule 13 of the Rules applicable to Cases I and II of Schedule D, and, if he has been charged otherwise than in accordance with this provision, any tax overpaid shall be repaid, or an additional assessment may be made upon him, as the case may require;

Manson v Hesley
1931 2 K.B. 375.

(*b*) if the profits or gains of the year ending on the fifth day of April in the year preceding the year of assessment in which the discontinuance occurs exceed the amount on which the person has been charged for that preceding year, or would have been charged if no such deduction or set-off as aforesaid had been allowed, an additional assessment may be made upon him, so that he shall be charged for that preceding year on the amount of the profits or gains of the said year ending on the fifth day of April, subject to any such deduction or set-off as aforesaid to which he may be entitled.

(2) In the case of the death of a person who, if he had not died, would, under the provisions of this section, have become chargeable to income tax for any year, the tax which would have been so chargeable shall be assessed and charged upon his executors or administrators, and shall be a debt due from and payable out of his estate.

Amendment of Rule 11 of Rules applicable to Cases I and II of Schedule D.

32.—(1) For Rule 11 of the Rules applicable to Cases I and II of Schedule D there shall be substituted the following:—

"11—(1) If at any time after the fifth day of April, nineteen hundred and twenty-eight, a change occurs in a partnership of persons engaged in any trade, profession or vocation, by reason of retirement or death, or the dissolution of the partnership as to one or more of the partners, or the admission of a new partner, in such circumstances that one or more of the persons who until that time were engaged in the trade, profession or vocation continue to be engaged therein, or a person who until that time was engaged in any trade, profession or vocation on his own account continues to be engaged in it, but as a partner in a partnership, the tax payable by the person or persons who carry on the trade, profession or vocation after that time shall, notwithstanding the change, be computed according to the profits or gains of the trade, profession or vocation during the period prescribed by the Income Tax Acts:

Provided that, where all the persons who were engaged in the trade, profession or vocation both immediately before and immediately after the change require, by notice signed by all of them or, in the case of a deceased person, by his legal representatives, and sent to the surveyor within three months after the change took place, that the tax payable for all years of assessment shall be computed as if the trade, profession or vocation had been discontinued at the date of the change, and a new trade, profession or vocation had been then set up or commenced, and that the tax so computed for any year shall be charged on and paid by such of them as would have been charged if such discontinuance and setting up or commencement had actually taken place, the tax shall be computed, charged, collected and paid accordingly.

(2) If at any time after the said fifth day of April any person succeeds to any trade, profession or vocation which until that time was carried on by another person and the case is not one to which paragraph (1) of this Rule applies, the tax payable for all years of assessment by the person succeeding as aforesaid shall be computed as if he had set up or commenced the trade, profession or vocation at that time, and the tax payable for all years of assessment by the person who until that time carried on the trade, profession or vocation shall be computed as if it had then been discontinued.

In this paragraph references to a person include references to a partnership.

(3) In the case of the death of a person who, if he had not died, would, under the provisions of this Rule, have become chargeable to income tax for any year, the tax which would have been so chargeable shall be assessed and charged upon his executors or administrators, and shall be a debt due from and payable out of his estate."

(2) Where relief has been given under the provisions of Rule 11 of the Rules applicable to Cases I and II of Schedule D in respect of a falling short of profits or gains from some specific cause since or by reason of a change in a partnership of persons engaged in any trade or profession, or a succession to a trade or profession, which change or succession took place within the year 1927–28, the person or persons who after the change or succession are chargeable with tax in respect of profits or gains of the trade or profession shall be entitled, on giving notice in writing to the surveyor not later than the fifth day of October, nineteen hundred and twenty-nine, to be charged to tax for the year 1928–29 as if the trade or profession had been set up or commenced on the date of the aforesaid change or succession, and if the tax charged has been paid any tax overpaid shall be repaid.

(3) This section shall come into operation on the sixth day of April, nineteen hundred and twenty-eight.

Relief in respect of certain losses.

ee Finance
et 1928 s. 19
nd s. 29
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ren Collieries
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33.—(1) Where a person has in any trade, profession or vocation carried on by him, either solely or in partnership, sustained a loss (to be computed in like manner as profits or gains under the Rules applicable to Cases I and II of Schedule D) in respect of which relief has not been wholly given under section thirty-four of the Income Tax Act, 1918 (which relates to relief in respect of certain losses), or under Rule 13 of the Rules applicable to Cases I and II of Schedule D (which provides for the setting-off of losses against profits or gains in a distinct trade), or under any other provision of the Income Tax Acts, he may claim that any portion of the loss for which relief has not been so given shall be carried forward and, as far as may be, deducted from or set-off against the amount of profits or gains on which he is assessed under Schedule D in respect of that trade, profession or vocation for the six following years of assessment:

Provided that in so far as relief in respect of any loss has been given to any person under this section that person shall not be entitled to claim relief in respect of that loss under any other provision of the Income Tax Acts.

(2) In the application of this section to a loss sustained by a partner in a partnership, the expression "the amount of profits or gains on which he is assessed" shall, in respect of any year, be taken to mean such portion of the amount on which the partnership is assessed under Schedule D in respect of the trade, profession or vocation as he would be required under the Income Tax Acts to include in a return of his total income for that year.

(3) Any relief under this section shall be given as far as possible from the first subsequent assessment for any year within the said six following years, and so far as it cannot be so given then from the next such assessment and so on.

(4) Where a loss is sustained—

(*a*) by a person in the occupation of woodlands who, if he had made a profit, would, by reason of his election under Rule 7 of the Rules applicable to Schedule B, have been chargeable for the succeeding year to tax under Schedule D computed on the amount of that profit; or

(*b*) by a person in the occupation of lands who, if he had made a profit, would in consequence of his election under Rule 5 of the Rules applicable to Schedule B, have been chargeable for the succeeding year to tax under Schedule D computed on the amount of that profit;

this section shall apply so as to give relief in respect of that loss in the same manner and to the same extent as if it were a loss sustained in a trade:

Provided that, if for any year after the year in which the loss is sustained the person who suffered the loss is assessed under Schedule B in respect of the occupation of the lands in question, no such deduction or set-off as aforesaid shall in respect of that loss be allowed for that or any succeeding year.

(5) The provisions of this section shall extend so as to apply to a loss sustained in the year ending on the fifth day of April, nineteen hundred and twenty-seven, or, where it has been customary to make up accounts of the trade, profession or vocation, in the year which under the provisions of the next following section of this Act would be taken to be the year preceding the year 1927–28.

Period of computation of profits and gains.

34.—(1) Where, in the case of any trade, profession or vocation, or of the occupation of any land occupied solely or mainly for the purposes of husbandry, or of the occupation of any woodlands, it has been customary to make up accounts,—

(*a*) if only one account was made up to a date within the year preceding the year of assessment, and that account was for a period of one year, the profits or gains of the year ending on that date shall be taken to be the profits or gains of the year preceding the year of assessment;

(*b*) if no account for a period of one year was made up to a date within the year preceding the year of assessment, or if more accounts than one were made up to dates within that year, the Commissioners of Inland Revenue shall decide what period of twelve months shall be deemed to be the year the profits or gains of which are to be taken to be the profits or gains of the year preceding the year of assessment.

(2) Where the Commissioners of Inland Revenue have given a decision under paragraph (*b*) of the preceding subsection and it appears to them that in consequence thereof the tax for the last preceding year of assessment (not being a year prior to the year 1927–28) in respect of the profits or gains from the same source should be computed on the profits or gains of a corresponding period, they may give directions to that effect and an assessment or additional assessment or repayment of tax shall be made accordingly.

(3) An appeal shall lie against any assessment or additional assessment or in respect of any repayment

of tax under subsection (2) of this section, and any such appeal shall be made to the General or Special Commissioners who shall consider the circumstances and grant such relief, if any, as is just, and their determination shall be final and conclusive, subject to the provisions of the Income Tax Acts relating to the statement of a case for the opinion of the High Court.

(4) In the case of the death of a person who, if he had not died, would, under the provisions of this section, have become chargeable to income tax for any year, the tax which would have been so chargeable shall be assessed and charged upon his executors or administrators and shall be a debt due from and payable out of his estate.

Apportionment of profits.

35.—(1) Where in the case of any profits or gains chargeable under Case I, Case II, Rule 4 of Case III or Case VI of Schedule D it is necessary, in order to arrive at the profits or gains or losses of any year of assessment or other period, to divide and apportion to specific periods the profits or gains or losses for any period for which the accounts have been made up, or to aggregate any such profits or gains or losses or any apportioned parts thereof, it shall be lawful to make such a division and apportionment or aggregation:

Provided that nothing in this section shall be construed as limiting the power of the general commissioners with respect to the adjustment of an assessment under Rule 9 of the Rules applicable to Cases I and II of Schedule D.

(2) Any apportionment under this section shall be made in proportion to the number of months or fractions of months in the respective periods.

Consequential and minor amendments.

36.—(1) The amendments specified in the second column of the Fourth Schedule to this Act, which are consequential or relate to minor details, shall be made in the provisions of the Income Tax Act, 1918, specified in the first column of that Schedule.

(2) It shall be lawful for His Majesty in Council by Order to make such amendments of the forms of statements, lists and declarations contained in the Fifth Schedule to the Income Tax Act, 1918, as appear to His Majesty to be necessary to give effect to the provisions of this Part of this Act, and that Schedule shall have effect as amended by any Order so made.

Construction and commencement of Part IV., and repeal.

37.—(1) The provisions of the Income Tax Acts shall, in relation to matters dealt with in this Part of this Act, have effect subject to the provisions of this Part of this Act, and shall, so far as inconsistent therewith, cease to have effect, and, subject as aforesaid, this Part of this Act shall be construed as one with the Income Tax Acts.

(2) The provisions of this Part of this Act shall, except as otherwise expressly provided, come into operation on the sixth day of April, nineteen hundred and twenty-seven, but shall not apply to any duties of income tax granted by Parliament before the commencement of this Part of this Act, or to any enactment or matter touching any such duties so granted, and all enactments relating to the basis of assessment which are in force immediately before the commencement of this Part of this Act shall continue to have effect in relation to any such duties so granted as if this Act had not passed, notwithstanding that those enactments are inconsistent with the provisions of, or are expressly repealed by, this Act.

(3) Subject to the provisions of this Act, the enactments set out in Part I of the Fifth Schedule to this Act shall be repealed to the extent mentioned in the third column of that Schedule as from the sixth day of April, nineteen hundred and twenty-seven.

PART V.

EXCESS PROFITS DUTY.

Provisions for limiting further assessments or claims in respect of excess profits duty.

38.—(1) After the thirtieth day of September, nineteen hundred and twenty-six, no assessment or additional assessment of duty shall be made, and no claim for relief from or for reduction or repayment of duty shall be entertained or allowed, except in a case which is an undetermined case within the meaning of this section, and section thirty-nine of the Finance Act, 1921, shall have effect accordingly.

(2) At any time not later than the said thirtieth day of September the Commissioners may in the case of any person who is or has been the owner of a trade or business give notice to him that they consider his liability to duty or his right in respect of relief from, or reduction or repayment of, duty as being undetermined, and any person who has been assessed to duty or is entitled to make a claim for relief from or for reduction or repayment of duty may give a like notice to the

Commissioners, and where such a notice is given to or by any person his case shall be deemed to be an undetermined case for the purposes of this section.

(3) The Commissioners may at any time give notice to any person whose case is an undetermined case to the effect that all questions as to his liability in respect of duty and his right to any relief from or reduction or repayment of duty have, in the opinion of the Commissioners, been finally determined.

Any person aggrieved by any such notice may, at any time within thirty days from the date on which the notice is served on him, appeal against it in accordance with the provisions of subsection (5) of section forty-five of the principal Act and the provisions (other than provisions prescribing the time within which notice of appeal may be given) of any regulations made under subsection (7) of that section, in the same manner as if he were a person dissatisfied with the amount of an assessment to duty.

If, where notice has been given to a person under this subsection, that person does not appeal against the notice or the appeal is not allowed, his case shall, as from the expiration of the time within which he was entitled to appeal or as from the date on which the appeal is finally determined, as the case may be, cease to be an undetermined case within the meaning of this section, and the provisions of subsection (1) of this section shall apply accordingly.

(4) Nothing in this section shall affect any powers vested in the Commissioners at the commencement of this Act for the recovery of duty or of any interest lawfully chargeable in respect of any duty.

(5) This section shall, subject to the necessary modifications, apply to munitions Exchequer payments as it applies to the duty.

(6) Notwithstanding anything in this section, the Commissioners may at any time make an assessment in respect of any excess profits duty which appears to them not to have been assessed by reason of any fraud or wilful default on the part of the person liable to be assessed and recover the duty chargeable on the assessment, and any person aggrieved by any such assessment shall have the same right of appealing against it as

he would have had of appealing against any assessment to duty if this Act had not passed.

Provision as to deduction of income tax in computing capital for purposes of excess profits duty.

39.—(1) Notwithstanding that an appeal is pending against an assessment to income tax in respect of the profits of a trade or business, the tax chargeable in accordance with that assessment shall, so far as unpaid, be deemed to be a debt within the meaning of paragraph 2 of Part III. of the Fourth Schedule to the principal Act (which enacts that debts shall be deducted in computing the amount of capital for the purposes of Part III. of that Act), and the deduction in respect of any such income tax shall, subject as hereinafter provided, be made as on the date of the commencement of the first accounting period commencing after the date on which the certificate of assessment which includes the assessment in question was in fact signed by the General or Special Commissioners, as the case may be, or as on the date of the commencement of the first accounting period commencing after the thirty-first day of December in the year for which the income tax is assessed, whichever such date of commencement is the later:

Provided that, where such an assessment is reduced on appeal, the amount to be deducted shall be treated as having been the amount of the income tax on the reduced assessment, and any necessary adjustments in respect of duty shall be made accordingly.

(2) The provisions of this section shall be deemed to have had effect as from the commencement of Part III. of the principal Act.

Interpretation of Part V.

40. In this Part of this Act, unless the context otherwise requires—

The expression "the principal Act" means the Finance (No. 2) Act, 1915:

The expression "duty" means excess profits duty:

References to the principal Act or to any provisions of that Act shall be construed as references to that Act or to those provisions as amended and extended by any subsequent enactment, including this Part of this Act:

The expression "the Commissioners" means the Commissioners of Inland Revenue.

PART VI.

GENERAL.

Amount of New Sinking Fund (1923) for 1926–27.

41. The amount of the New Sinking Fund (1923) shall as respects the current financial year be increased by the sum of ten million pounds, and section thirty-two of the Finance Act, 1923, shall as respects that year have effect accordingly.

Amendment as to sum to be paid into Road Fund. 10 & 11 Geo. 5. c. 72.

42. As from the first day of April, nineteen hundred and twenty-six, the sum which under subsection (1) of section two of the Roads Act, 1920, is to be issued out of the Consolidated Fund and the balance of which is under subsection (3) of that section to be paid into the Road Fund shall be reduced by an amount equal to one-third of the net proceeds of the excise duties on licences for mechanically-propelled vehicles chargeable under paragraphs 1 and 6 of the Second Schedule to the Finance Act, 1920, as amended by any subsequent enactment.

For the purposes of this section the expression "net proceeds of the excise duties" means the amount levied in respect of the duties under section one of the Roads Act, 1920, after deducting from that amount any amount repaid by county councils under section eighteen of the Finance Act, 1924, or under paragraph 6 of the Second Schedule to the Finance Act, 1920, or otherwise on account of any overpayment of duty.

14 & 15 Geo. 5. c. 21.

Transfer of sum from Road Fund to Exchequer.

43. There shall, in accordance with the directions of the Treasury, be transferred to the Exchequer from the Road Fund constituted under the Roads Act, 1920, the sum of seven million pounds.

Continuance during current financial year of s. 58 of 10 & 11 Geo. 5. c. 18. 38 & 39 Vict. c. 45.

44. Section fifty-eight of the Finance Act, 1920 (which provides that amounts applied out of revenue in paying off debt are to be deemed expenditure within the meaning of sections four and five of the Sinking Fund Act, 1875), shall apply in relation to the current financial year as it applies in relation to the financial year ending on the thirty-first day of March, nineteen hundred and twenty-one.

Amendment as to countersigning of

45. In the case of the illness or absence of the Comptroller and Auditor-General, a warrant for the issue of Treasury bills or a warrant for the preparation or for warrants for Treasury bills and Exchequer bonds. 40 & 41 Vict. c. 2. 29 & 30 Vict. c. 25.

the issue of Exchequer bonds, may, instead of being countersigned by the Comptroller and Auditor-General as required respectively by section eight of the Treasury Bills Act, 1877, and by sections three and six of the Exchequer Bills and Bonds Act, 1866, as applied by section twenty-six of that Act, be countersigned by a principal officer of his department authorised by him for that purpose.

Power to extend currency of, and to issue securities in exchange for, savings certificates.

46.—(1) Notwithstanding anything in the War Loan Acts, 1914 to 1919, or section fifty-nine of the Finance Act, 1920, or any regulations made with respect to, or any conditions relating to the issue of, savings certificates, any such certificate issued under those enactments shall not, if the Treasury so direct and subject to such conditions with respect to interest and otherwise as they may impose, be required to be repaid or redeemed before the thirty-first day of March, nineteen hundred and thirty-two:

Provided that nothing in this section shall prejudice the right of any holder of any such certificate, if he so desires, to have the amount payable under the certificate paid to him on or before maturity.

(2) The Treasury may make arrangements for enabling the holders of any savings certificates to exchange them (whether on or before maturity) for other securities, and for the purposes of any such exchange may provide for the issue of such new securities as they think fit and for the cancellation of any savings certificates received in exchange.

(3) The principal and interest of any securities issued under this section and any expenses incurred in connection with the exchange of savings certificates and the issue of new securities under this section shall be charged on the Consolidated Fund of the United Kingdom or the growing produce thereof, and, if the Treasury so direct, any securities issued under this section may, subject to the provisions of the War Loan (Supplemental Provisions) Acts, 1915 and 1918, be inscribed or registered in the Post Office Register.

56 & 57 Vict. c. 69.

(4) The definitions of "Government stock" in subsection (2) of section five of the Savings Bank Act, 1893, and in section fifty-one of the Finance Act, 1921, shall be amended so as to include securities issued under this section.

(5) The Treasury may make rules for carrying into effect the provisions of this section as to the exchange of savings certificates, and may by those rules provide, with the necessary modifications, for the matters for which provision could be made under section twenty-nine of the National Debt (Conversion) Act, 1888, and may also by those rules apply, with such modifications as may be necessary, any of the provisions of Part IV. of that Act, whether repealed or not, which they think it expedient to apply.

51 & 52 Vict. c. 2.

(6) There shall be paid to the Bank of England and the Bank of Ireland respectively out of the Consolidated Fund or the growing produce thereof for the management in any financial year of any securities issued under this section such sums as may be agreed upon between the Treasury and those banks respectively.

(7) In this section the expression "savings certificates" means war savings certificates or national savings certificates.

Construction, short title, application and repeal.

47.—(1) Part I. of this Act, so far as it relates to duties of customs, shall be construed together with the Customs (Consolidation) Act, 1876, and any enactments amending that Act, and the said Part I., so far as it relates to duties of excise, and Part II. of this Act shall be construed together with the Acts which relate to the duties of excise and the management of those duties, and the expression "the Commissioners" in the said Part I. or the said Part II. means the Commissioners of Customs and Excise.

39 & 40 Vict. c. 36.

(2) Part III. of this Act shall be construed together with the Income Tax Acts.

(3) This Act may be cited as the Finance Act, 1926.

(4) Such of the provisions of this Act as relate to matters with respect to which the Parliament of Northern Ireland has power to make laws shall not extend to Northern Ireland.

(5) The enactments set out in Part II. of the Fifth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULES.

Section 13.

FIRST SCHEDULE.

Amended Rates of Duties on certain Mechanically-propelled Vehicles.

Description of Vehicle.	Rate of Duty.
3. Vehicles, being hackney carriages as defined in section four of the Customs and Inland Revenue Act, 1888 :—	
Tramcars	15*s.*
Other vehicles—	
Having a seating capacity for—	
Not more than 8 persons	15*l.*
More than 8, but not more than 14 persons	30*l.*
More than 14, but not more than 20 persons	45*l.*
More than 20, but not more than 26 persons	60*l.*
More than 26, but not more than 32 persons	72*l.*
More than 32, but not more than 40 persons	84*l.*
More than 40, but not more than 48 persons	96*l.*
More than 48, but not more than 56 persons	108*l.*
More than 56, but not more than 64 persons	120*l.*
More than 64 persons	120*l.*
With an additional 1*l.* 10*s.* for each person in excess of 64 persons.	
For the purposes of this paragraph the number of persons mentioned does not include the driver of the vehicle and the seating capacity of a vehicle shall be determined in accordance with provisions to be made by regulations under section twelve of the Roads Act, 1920.	
4.—(1) Locomotive ploughing engines, tractors, agricultural tractors, and other agricultural engines, not being engines or tractors used for hauling on roads any objects except their own necessary gear, threshing appliances, farming implements, or supplies of fuel or water required for the purposes of the vehicle or for agricultural purposes	5*s.*
(2) Tractors, agricultural tractors, and agricultural engines, other than such tractors or engines in respect of which a duty of 5*s.* is chargeable, used for haulage solely in connection with agriculture—	
Not exceeding 5 tons in weight unladen	6*l.*
Exceeding 5 tons in weight unladen	10*l.*

1st Sch. —*cont.*

Description of Vehicle.	Rate of Duty.
(3) Road locomotives used solely in agriculture and agricultural engines, other than such engines in respect of which duty is chargeable under paragraph (1) or paragraph (2) :—	
Not exceeding 8 tons in weight unladen - -	25*l.*
Exceeding 8 tons but not exceeding 12 tons in weight unladen - - - - - -	28*l.*
Exceeding 12 tons in weight unladen - -	30*l.*
(4) Vehicles of the following descriptions, used at any time otherwise than in connection with agriculture, that is to say, vehicles which are constructed for haulage solely and not for the purpose of carrying or having super-imposed upon them any load except such as is necessary for their propulsion or equipment and which are not used for that purpose—	
Not exceeding 2 tons in weight unladen - -	21*l.*
Exceeding 2 tons but not exceeding 4 tons in weight unladen - - - - - -	25*l.*
Exceeding 4 tons but not exceeding 6 tons in weight unladen - - - - - -	30*l.*
Exceeding 6 tons but not exceeding 7¼ tons in weight unladen - - - - - -	35*l.*
Exceeding 7¼ tons but not exceeding 8 tons in weight unladen - - - - - -	40*l.*
Exceeding 8 tons but not exceeding 10 tons in weight unladen - - - - - -	50*l.*
Exceeding 10 tons in weight unladen - - -	60*l.*

If any person proves to the satisfaction of the authority charged with levying the duty—

(*a*) that he has paid in respect of a licence for any vehicle the duty chargeable under this sub-paragraph ; and

(*b*) that the vehicle has during the currency of the licence been used by him solely for the purposes of his business as a travelling showman ; and

(*c*) that he has during the currency of the licence complied, in relation to the vehicle, with any regulations which may be made by the Minister of Transport for the safeguarding of roads from the damage which might otherwise arise from the use of such vehicles,

he shall be entitled to repayment of an amount equal to the difference between the amount paid as

Description of Vehicle.	Rate of Duty.
duty under this sub-paragraph and the amount which would have been payable in respect of a licence for that vehicle if this Act had not passed, and the provisions of sub-section (2) of section fourteen of this Act shall apply as if he were entitled to a repayment in respect of an overpayment of duty.	
5. Vehicles (including tricycles weighing more than 8 cwt. unladen) constructed or adapted for use and used for the conveyance of goods or burden of any description whether in the course of trade or otherwise :—	
Being vehicles which are electrically-propelled and not exceeding 25 cwt. in weight unladen	6*l.*
Exceeding 25 cwt. but not exceeding 2 tons in weight unladen	13*l.*
Exceeding 2 tons but not exceeding 3 tons in weight unladen	20*l.*
Exceeding 3 tons but not exceeding 4 tons in weight unladen	24*l.*
Exceeding 4 tons but not exceeding 5 tons in weight unladen	27*l.*
Exceeding 5 tons in weight unladen	30*l.*
With an additional duty, in any case, if used for drawing a trailer, of	6*l.*
Being vehicles other than electrically-propelled vehicles—	
Not exceeding 12 cwt. in weight unladen	10*l.*
Exceeding 12 cwt. but not exceeding 1 ton in weight unladen	16*l.*
Exceeding 1 ton but not exceeding 2 tons in weight unladen	26*l.*
Exceeding 2 tons but not exceeding 3 tons in weight unladen	40*l.*
Exceeding 3 tons but not exceeding 4 tons in weight unladen	48*l.*
Exceeding 4 tons but not exceeding 5 tons in weight unladen	54*l.*
Exceeding 5 tons in weight unladen	60*l.*
With an additional duty, in any case, if used for drawing a trailer, of	6*l.*

SECOND SCHEDULE.

Section 23.

Part I.

Agreement made the 14th April, 1926, between the British Government and the Government of the Irish Free State in respect of Double Income Tax.

The British Government and the Government of the Irish Free State, being desirous of concluding an Agreement for the reciprocal exemption from income tax and super-tax of persons who are resident in Great Britain (including Northern Ireland) or in the Irish Free State but are not resident in both countries and for the reciprocal granting of relief from double taxation in respect of income tax (including super-tax) to persons who are resident in both countries, and being desirous of making such supplemental consequential and incidental provisions as appear necessary or proper for the purposes of such Agreement, have agreed as follows:—

1.—(*a*) Any person who proves to the satisfaction of the Commissioners of Inland Revenue that for any year he is resident in the Irish Free State and is not resident in Great Britain or Northern Ireland shall be entitled to exemption from British income tax for that year in respect of all property situate and all profits or gains arising in Great Britain or Northern Ireland and to exemption from British super-tax for that year.

(*b*) Any person who proves to the satisfaction of the Revenue Commissioners that for any year he is resident in Great Britain or Northern Ireland and is not resident in the Irish Free State shall be entitled to exemption from Irish Free State income tax for that year in respect of all property situate and all profits or gains arising in the Irish Free State, and to exemption from Irish Free State super-tax for that year.

(*c*) Exemption under this Article may be given either by discharge or by repayment of tax, or otherwise, as the case may require.

2. Relief from double taxation in respect of income tax (including super-tax) in the case of any person who is resident both in Great Britain or Northern Ireland and in the Irish Free State shall be allowed from British income tax and Irish Free State income tax respectively in accordance with and under the provisions of Section 27 of the Finance Act, 1920, provided, however, that—

(*a*) the rate of relief to be allowed from British income tax shall be one-half of that person's appropriate rate of British tax or one-half of his appropriate rate of Irish Free State tax, whichever is the lower,

2nd Sch. *—cont.*

(*b*) the rate of relief to be allowed from Irish Free State income tax shall be one-half of that person's appropriate rate of British tax or one-half of his appropriate rate of Irish Free State tax, whichever is the lower,

(*c*) for the purpose of determining that person's appropriate rate of British tax, the rate of British income tax shall be ascertained by dividing by the amount of his total income from all sources as estimated for income tax purposes the amount of tax payable by him on that income before deduction of any relief granted in respect of life assurance premiums or any relief granted under the provisions of the said Section 27 as amended by this Article, and the rate of British super-tax shall be ascertained by dividing the amount of the super-tax payable by that person by the amount of his total income from all sources as estimated for super-tax purposes,

(*d*) for the purpose of determining that person's appropriate rate of Irish Free State tax, the rate of Irish Free State income tax shall be ascertained by dividing by the amount of his total income from all sources as estimated for income tax purposes the amount of tax payable by him on that income before deduction of any relief granted in respect of life assurance premiums or any relief granted under the provisions of the said Section 27 as amended by this Article, and the rate of Irish Free State super-tax shall be ascertained by dividing the amount of the super-tax payable by that person by the amount of his total income from all sources as estimated for super-tax purposes.

3.—(*a*) Any person who is entitled to exemption from British income tax by virtue of Article 1 (*a*) of this Agreement in respect of property situate and profits or gains arising in Great Britain or Northern Ireland shall, if and so far as the Oireachtas of the Irish Free State so provides, and subject to any exemption or relief to which he may be entitled under the laws in force in the Irish Free State, be chargeable to Irish Free State income tax in respect of such property profits or gains.

(*b*) Any person who is entitled to exemption from Irish Free State income tax by virtue of Article 1 (*b*) of this Agreement in respect of property situate and profits or gains arising in the Irish Free State shall, if and so far as the British Parliament so provides, and subject to any exemption or relief to which he may be entitled under the laws in force in Great Britain and Northern Ireland, be chargeable to British income tax in respect of such property profits or gains.

(*c*) Any person who is entitled to relief by virtue of Article 2 of this Agreement shall, subject to such relief, be chargeable, if and so far as the British Parliament so provides, to British income tax in respect of property situate and profits or gains arising in the Irish Free State in like manner in all respects as if he were resident in Great Britain or Northern Ireland but not resident in the Irish Free State and shall, subject to such relief as aforesaid, be chargeable, if and so far as the Oireachtas of the Irish Free State so provides, to Irish Free State income tax in respect of property situate and profits or gains arising in Great Britain or Northern Ireland in like manner in all respects as if he were resident in the Irish Free State but not resident in Great Britain or Northern Ireland.

4. For the purposes of this Agreement a company, whether incorporated by or under the laws of Great Britain or of Northern Ireland or of the Irish Free State or otherwise, shall be deemed to be resident in that country only in which its business is managed and controlled.

5. The Commissioners of Inland Revenue and the Revenue Commissioners may from time to time make arrangements generally for carrying out this Agreement and may in particular make such arrangements as may be practicable to avoid the collection of both British and Irish Free State income tax on the same income without allowance for any relief due under this Agreement, and the Commissioners of Inland Revenue and the Revenue Commissioners may make such regulations as they respectively think fit for carrying out such arrangements.

6. The obligation as to secrecy imposed by any enactment with regard to income tax shall not prevent the disclosure by any authorised officer of the British Government to any authorised officer of the Government of the Irish Free State or by any authorised officer of the Government of the Irish Free State to any authorised officer of the British Government of such facts as may be necessary to enable full effect to be given to this Agreement.

7. Any question that may arise between the parties to this Agreement as to the interpretation of this Agreement or as to any matter arising out of or incidental to the Agreement shall be determined by such tribunal as may be agreed between them, and the determination of such tribunal shall, as between them, be final.

8. This Agreement shall be subject to confirmation by the British Parliament and by the Oireachtas of the Irish Free State and shall have effect only if and so long as legislation confirming the Agreement is in force both in Great Britain and Northern Ireland and in the Irish Free State.

Dated this fourteenth day of April, nineteen hundred and twenty-six.

(Signed)
WINSTON S. CHURCHILL,
Chancellor of the Exchequer.

EARNÁN DE BLAGHD,
Minister for Finance,
Saorstat Eireann.

2ND SCH. —*cont.*

PART II.

MODIFICATIONS OF INCOME TAX ACTS FOR THE PURPOSE OF GIVING EFFECT TO THE AGREEMENT SET OUT IN PART I. OF THIS SCHEDULE.

1. In respect of property situate and profits or gains arising in the Irish Free State—

(1) The Rules applicable to Case IV of Schedule D shall have effect as if Rule 2 thereof had been omitted, and the Rules applicable to Case V of Schedule D shall have effect as if Rule 3 thereof had been omitted :

(2) In Rule 1 of the Rules applicable to Case V of Schedule D for the words "on an average of the three preceding years, as directed in Case I," there shall be substituted the words "arising in the year of assessment":

(3) The following Rule shall be substituted for Rule 2 of the Rules applicable to Case V of Schedule D :—

The tax in respect of income arising from possessions other than stocks, shares, or rents, shall be computed either on the full amount thereof arising in the year of assessment or on the full amount thereof on an average of such period as the case may require and as may be directed by the Commissioners, so that according to the nature of the income the tax may be computed on the same basis as that on which it would have been computed if the income had arisen in Great Britain or Northern Ireland, and subject in either case to a deduction on account of any annual interest or any annuity or other annual payment payable out of the income to a person not resident in Great Britain or Northern Ireland, and the provisions of the Income Tax Acts (including those relating to the delivery of statements) shall apply accordingly; and the person chargeable and assessable shall be entitled to the same allowances, deductions, and reliefs as if the income had arisen in Great Britain or Northern Ireland :

Provided that in the case of lands, tenements or hereditaments in the Irish Free State in the occupation of a person resident in Great Britain or Northern Ireland which, had they been situate in Great Britain or Northern Ireland, would have been chargeable to tax according to the general rule of No. 1 of Schedule A in respect of the property therein or under Schedule B (other than under Rule 8 of Schedule B) in respect of the occupation thereof, tax shall be charged under this Rule and the income arising therefrom shall be taken to be an amount (subject to deduction as aforesaid) determined as follows, that is to say :—

(*a*) where the tax would in the circumstances aforesaid have been chargeable according to the

2nd Sch. —*cont.*

General Rule of No. 1 of Schedule A, the amount shall be taken to be the annual value, as reduced for the purposes of collection, of the lands, tenements or hereditaments as ascertained for the year of assessment for the purposes of the charge to income tax under Schedule A in the Irish Free State;

(*b*) where the tax in the circumstances aforesaid would have been chargeable under Schedule B, the amount shall be taken to be the assessable value of the lands, tenements or hereditaments as ascertained for such year as aforesaid for the purposes of the charge to income tax under Schedule B in the Irish Free State.

(4) Notwithstanding anything contained in Rule 5 (1) of the Rules applicable to Cases I and II of Schedule D, in estimating the amount of annual profits or gains arising or accruing from any trade, profession or vocation a deduction shall be allowed on account of lands, tenements, hereditaments or other premises situate in the Irish Free State and used in whole or in part for the purpose of that trade, profession or vocation of an amount equal to the amount charged to tax under Case V of Schedule D by virtue of the preceding subparagraph in respect of the income arising from such lands, tenements, hereditaments or other premises or the part so used.

(5) So much of Part IV. of this Act as provides for computing profits and gains under Case IV of Schedule D by reference to the year preceding the year of assessment in lieu of by reference to the year of assessment shall not apply.

2. In the definition of "foreign life assurance fund" in section two hundred and thirty-seven of the Income Tax Act, 1918, the expression "United Kingdom" shall mean Great Britain and Ireland.

3. Section twenty-one of the Finance Act, 1925, which grants an exemption for charities in the Irish Free State, shall cease to have effect.

4.—(1) Any claim for exemption from income tax or super-tax on the ground that the claimant is resident in the Irish Free State and is not resident in Great Britain or Northern Ireland shall be made to the Commissioners of Inland Revenue in such form as they may prescribe, and the said Commissioners shall on proof of the facts to their satisfaction allow the claim accordingly:

Provided that section seventeen of the Income Tax Act, 1918, shall apply to the claimant for such exemption in like manner as it applies to a claimant for relief.

2nd Sch. —*cont.*

(2) Any person who is aggrieved by the decision of the said Commissioners on a claim made by him as aforesaid may, by notice in writing to that effect given to the said Commissioners within twenty-one days from the date on which notice of the decision is given to him, make an application to have his claim heard and determined by the Special Commissioners.

(3) Where any such application as aforesaid is made, the Special Commissioners shall hear and determine the claim in like manner as an appeal made to them against an assessment under Schedule D, and all the provisions of the Income Tax Acts relating to such an appeal (including the provisions relating to the statement of a case for the opinion of the High Court on a point of law) shall apply accordingly with any necessary modifications.

5.—(1) Any person who is intrusted with the payment of any interest, dividends or other annual payments which are payable to any persons in Great Britain or Northern Ireland out of the public revenue of the Irish Free State or out of or in respect of the stocks, funds, shares or securities of any Irish Free State company, society, adventure or concern shall be relieved from the obligation imposed on him by General Rule 1 of Schedule C and Miscellaneous Rule 7 of Schedule D to pay tax thereon on behalf of the persons entitled thereto as regards any such interest dividends or other annual payments in respect of which he furnishes to the Commissioners of Inland Revenue in such form and subject to such conditions as they may prescribe a list containing

(*a*) a full description of the interest dividends or other annual payments;

(*b*) the name and address of each person who is entitled thereto; and

(*c*) the amount thereof to which each such person is entitled.

(2) Any person intrusted with payment who by virtue of subparagraph (1) of this paragraph is relieved from the obligation to pay tax on interest dividends or other annual payments shall be entitled to the like remuneration to which, if he had paid tax thereon, he would have been entitled under Rule 5 of the Rules applicable to Schedule C as to interest etc. with the payment of which persons other than the Bank of England, the Bank of Ireland and the National Debt Commissioners are intrusted.

(3) Any interest, dividends or other annual payments in respect of which the person intrusted with payment is by virtue of subparagraph (1) of this paragraph relieved from the obligation to pay tax shall be assessable and chargeable under Case IV or Case V of Schedule D as the case may be.

(4) The Commissioners of Inland Revenue may make such regulations as may be necessary for the purposes of this paragraph.

THIRD SCHEDULE.

Section 28.

Table of Transfers of various Properties from Schedule A to Schedule D.

Property in respect of which Tax chargeable.	Case of Schedule D under which to be charged.	Provisions with respect to new method of charging.
Certain lands, tenements, hereditaments or heritages to which the rules of No. II. of Schedule A apply.	Case III.	In computing the amount of an assessment under Schedule D the like deductions and allowances shall be made as would have been made if the assessment had been made under Schedule A, No. II. The proviso to Rule 6 of Schedule A, No. II, shall be deemed to be a rule of Schedule D, Case III, with respect to the fines to which the said Rule 6 applies.
Certain lands, tenements, hereditaments or heritages to which the rules of No. III. of Schedule A apply.	Case I.	Rules 4, 5 and 7 of Schedule A, No. III, shall apply and shall be deemed to be rules of Schedule D, Case I, so far as regards those lands, tenements, hereditaments or heritages. No deduction or set-off (other than the deduction granted by subsection (2) of section eighteen of the Finance Act, 1919) shall be allowed in estimating the profits on account of, or by reference to, the annual value of any lands, tenements, hereditaments or heritages occupied and used in connection with the concern and not separately assessed and charged under Schedule A.

Section 36.

FOURTH SCHEDULE.

CONSEQUENTIAL AND MINOR AMENDMENTS OF THE INCOME TAX ACT, 1918.

Enactments to be amended.	Nature of Amendment.
Section 19 - -	The words " assessable under Schedule A " shall be inserted after the word " heritages " where that word first occurs; the words " assessable under Schedule B " shall be inserted after the word " heritages " where it secondly occurs; and the words " of the last-mentioned lands, tenements, hereditaments and heritages " shall be inserted after the word " occupier."
First Schedule -	In paragraph (2) of Rule 1 of the Rules applicable to Cases I and II of Schedule D the words " year preceding the year of assessment " shall be substituted for " said period of three years," and the words " the average of " shall be omitted.
	In paragraph (*d*) of Rule 3 of the Rules applicable to Cases I and II of Schedule D the word " actually " shall be substituted for the word " usually " and the words " according to an average of three years preceding the year of assessment " shall be omitted.
	In paragraph (1) of Rule 5 of the Rules applicable to Cases I and II of Schedule D the words " annual value of " shall be substituted for the words " profits or gains arising from," and the words " and separately " assessed and charged under Schedule A " shall be inserted after the word " profession " where it first occurs, and the words " provided that " shall be omitted.
	In paragraph (2) of the said Rule 5 the words " lands, tenements, hereditaments and heritages " shall be substituted for the word " premises " where it firstly and secondly occurs.

FIFTH SCHEDULE.

Section 37.

Enactments Repealed.

Part I.

Session and Chapter.	Short Title.	Extent of Repeal.
8 & 9 Geo. 5. c. 40.	The Income Tax Act, 1918.	In the First Schedule— In the Rule applicable to Case I. of Schedule D the words "other than a trade "relating to lands, tenements, hereditaments or "heritages directed to be "charged under Schedule A." Rule 8 of the Rules applicable to Cases I. and II. of Schedule D. Rule 3 of the Miscellaneous Rules applicable to Schedule D.
11 & 12 Geo. 5. c. 32.	The Finance Act, 1921.	Section twenty-six.
14 & 15 Geo. 5. c. 21.	The Finance Act, 1924.	Section twenty-six.

Part II.

Section 47.

Session and Chapter.	Short Title.	Extent of Repeal.
23 & 24 Vict. c. 113.	The Excise Act, 1860	Sections eight to twenty.
8 & 9 Geo. 5. c. 15.	The Finance Act, 1918.	Section twelve.
14 & 15 Geo. 5. c. 21.	The Finance Act, 1924.	Subsection (2) of section three.
15 & 16 Geo. 5. c. 36.	The Finance Act, 1925.	In subsection (2) of section three the reference to the provisions of subsection (4) of section thirteen of the Finance (No. 2) Act, 1915, and in section eighteen the words "for the year 1925–26."

CHAPTER 23.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, and to appropriate the Supplies granted in this Session of Parliament. [4th August 1926.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

GRANT OUT OF CONSOLIDATED FUND.

Issue of £248,279,395 out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, the sum of two hundred and forty-eight million two hundred and seventy-nine thousand three hundred and ninety-five pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole two hundred and forty-eight million two hundred and seventy-nine thousand three hundred and ninety-five pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-seven, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five

pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of sums voted for supply services.

3. All sums granted by this Act and the other Acts mentioned in Schedule (A) annexed to this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by the said schedule, in the aggregate, to the sum of four hundred and twenty-seven million nine hundred and eighty-three thousand five hundred and seventy-three pounds nine shillings and sevenpence, are appropriated, and shall be deemed to have been appropriated as from the date of the passing of the Acts mentioned in the said Schedule (A), for the services and purposes expressed in Schedule (B) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

In addition to the sums hereby granted out of the Consolidated Fund, there may be applied out of any money directed under section two of the Public Accounts and Charges Act, 1891, to be applied as appropriations in aid of the grants for the services and purposes specified in Schedule (B) annexed hereto the sums respectively set forth in the last column of the said schedule.

54 & 55 Vict. c. 24.

Treasury may, in certain cases of exigency, authorise expenditure unprovided for; provided that the aggregate grants for the navy services, army ser-

4.—(1) So long as the aggregate expenditure on naval military and air services respectively is not made to exceed the aggregate sums appropriated by this Act for those services respectively, any surplus arising on any vote for those services, either by an excess of the sum realised on account of appropriations in aid of the vote over the sum which may be applied under this Act as appropriations in aid of that vote, or by saving of expenditure on that vote, may, with the sanction of the Treasury, be temporarily applied either in making up any deficiency in the sums realised on account of appropriations in aid of any other vote in the same department, vices and air services respectively be not exceeded.

or in defraying expenditure in the same department which is not provided for in the sums appropriated to the service of the department by this Act, and which it may be detrimental to the public service to postpone until provision can be made for it by Parliament in the usual course.

(2) A statement showing all cases in which the sanction of the Treasury has been given to the temporary application of a surplus under this section, and showing the circumstances under which the sanction of the Treasury has been given, shall be laid before the House of Commons with the appropriation accounts of the naval military and air services for the year, in order that any temporary application of any surplus sanctioned by the Treasury under this section may be submitted for the sanction of Parliament.

Sanction for navy and air expenditure for 1924–1925 unprovided for. 14 & 15 Geo. 5. c. 31.

5. Whereas surpluses arising on certain votes for navy services have been applied as shown in the account set out in Schedule (C, Part I.) to this Act; and whereas under the powers given for the purpose by the Appropriation Act, 1924, surpluses arising on certain votes for air services have been applied as shown in the account set out in Schedule (C, Part II.) to this Act:

It is enacted that the application of those surpluses as shown in the said accounts is hereby sanctioned.

Declaration required in certain cases before receipt of sums appropriated.

6.—(1) A person shall not receive any payment out of a grant which may be made in pursuance of this Act for half-pay or army, navy, air force, or civil non-effective services, until he has subscribed such declaration as may from time to time be prescribed by a warrant of the Treasury before one of the persons prescribed by the warrant:

Provided that the Treasury may dispense with the production of a declaration under this section in respect of any payment if such a declaration has been subscribed within a period of seven calendar months preceding the date of the payment.

(2) Any person who makes a declaration for the purpose of this section knowing the same to be untrue in any material particular shall be guilty of a misdemeanour.

Short title.

7. This Act may be cited for all purposes as the Appropriation Act, 1926.

ABSTRACT

OF

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

Section 3.

	£	s.	d.
Grants out of the Consolidated Fund -	427,983,573	9	7

SCHEDULE (B.)—Appropriation of Grants.

Section 3.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
	£	s.	d.	£	s.	d.
1924–1925–1926.						
Part 1. Navy Excess, 1924–1925 -	100	0	0	45,752	3	6
,, 2. Civil Services Excesses, 1924–1925 - - -	387,104	9	7	33,538	4	7
,, 3. Civil Services (Supplementary), 1925–1926 -	5,269,474	0	0	809,327	0	0
£	5,656,678	9	7	888,617	8	1
1926–1927.						
Part 4. Navy - - - - -	58,100,000	0	0	4,213,728	0	0
,, 5. Army - - - - -	42,500,000	0	0	9,920,000	0	0
Army (Ordnance Factories)	100	0	0	2,735,200	0	0
,, 6. Air Force - - - -	16,000,000	0	0	4,864,500	0	0
£	116,600,100	0	0	21,733,428	0	0
Part 7. Civil Services, Class I. -	6,559,053	0	0	650,485	0	0
,, 8. Civil Services, Class II. -	13,445,555	0	0	9,556,741	0	0
,, 9. Civil Services, Class III. -	12,216,946	0	0	1,647,654	0	0
,, 10. Civil Services, Class IV. -	53,337,959	0	0	210,656	0	0
,, 11. Civil Services, Class V. -	7,588,827	0	0	723,055	0	0
Carried forward - £	93,148,340	0	0	12,788,591	0	0

Sched. (B.) Appropriation of Grants.

SCHEDULE (B.)—Appropriation of Grants—*cont.*

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
	£	*s.*	*d.*	£	*s.*	*d.*
Brought forward -	93,148,340	0	0	12,788,591	0	0
Part 12. Civil Services, Class VI. -	102,003,364	0	0	1,689,770	0	0
,, 13. Civil Services, Class VII. -	32,737,419	0	0	5,279,982	0	0
,, 14. Civil Services, Unclassified -	11,453,020	0	0	1,650,392	0	0
Total Civil Services - £	239,342,143	0	0	21,408,735	0	0
Part 15. Revenue Departments, &c. - -	66,384,652	0	0	2,738,937	0	0
Grand Total - £	427,983,573	9	7	46,767,717	8	1

Sched. (A.)

SCHEDULE (A.)

Grants out of the Consolidated Fund.

	£	*s.*	*d.*
For the service of the year ended on the 31st day of March 1925:—			
Under Act 16 Geo. 5. c. 1 - - -	387,204	9	7
For the service of the year ending on the 31st day of March 1926:—			
Under Act 16 Geo. 5. c. 1 - - -	5,269,474	0	0
For the service of the year ending on the 31st day of March 1927:—			
Under Act 16 Geo. 5. c. 1 - - -	174,047,500	0	0
Under this Act - - - - -	248,279,395	0	0
Total - - - -	£427,983,573	9	7

SCHEDULE (B.)—Part 1.

Sched. (B.) Part 1.

Navy Excesses, 1924–1925.

	Sums not exceeding					
	Supply Grants.			Appropriations in Aid.		
	£	*s.*	*d.*	£	*s.*	*d.*
Sum granted to make good excesses of Navy expenditure beyond the grants for the year ended on the 31st day of March 1925 - - - - - -	100	0	0	45,752	3	6

SCHEDULE (B.)—Part 2.

Sched. (B.) Part 2.

Civil Service Excesses, 1924–1925.

Sum granted to make good excesses on certain grants for Civil Services for the year ended on the 31st day of March 1925:—						
Class I.						
Diplomatic and Consular Buildings	4,258	3	11	—		
Class II.						
Ministry of Pensions - - -	382,846	5	8	33,538	4	7
Total - - £	387,104	9	7	33,538	4	7

Sched. (B.)
Part 3.
Civil Services (Supplementary), 1925-1926.

SCHEDULE (B.)—Part 3.

Civil Services (Supplementary), 1925–1926.

Schedule of Supplementary Sums granted to defray the charges for the Services herein particularly mentioned for the year ended on the 31st day of March 1926, viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES.	£	£
Class I.		
For expenditure in respect of diplomatic and consular buildings - - -	7,500	—
For expenditure in respect of customs and excise, inland revenue, post office and telegraph buildings in Great Britain and certain post offices abroad	66,500	—
For expenditure in respect of employment exchange and insurance buildings, Great Britain (including Ministries of Labour and Health) - - -	12,000	—
For expenditure in respect of sundry public buildings in Great Britain, not provided for on other Votes, including historic buildings, ancient monuments and Brompton Cemetery - - -	158,345	*—17,000
For expenditure in respect of housing schemes under the management of the Office of Works - - - -	10	7,590
Class II.		
For the salaries and expenses of the office of the committee of Privy Council for Trade, and subordinate departments, including certain services arising out of the war - - - - - -	12,700	—
Carried forward - - £	257,055	*—9,410

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* Deficit.

SCHEDULE (B.)—Part 3—*continued.*

Sched. (B.)
Part 3.
Civil Services (Supplementary), 1925–1926.

CIVIL SERVICES—*cont.*	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	257,055	*—9,410
Class II.—*continued.*		
For the salaries and expenses of the Department of Overseas Trade - -	32,500	*— 9,000
For the salaries and expenses of the Mines Department of the Board of Trade -	16,757	318
For the salaries and expenses of the Ministry of Agriculture and Fisheries, including a subsidy on sugar and molasses manufactured from beet grown in Great Britain, expenses under the Agricultural Wages (Regulation) Act, 1924, loans to agricultural co-operative societies, grants for agricultural education and research, grants for eradication of tuberculosis in cattle, grants for land drainage, a grant in aid of the small holdings account, and certain other grants in aid; and of the Royal Botanic Gardens, Kew - - -	303,000	—
For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England, and grants in respect of the maintenance of certain ex-service mental patients - - - - -	23,860	700
For the salaries and expenses of the department of the Registrar General of Births, &c. - - - - - -	3,810	1,800
For stationery, printing, paper, binding, and printed books for the public service; for the salaries and expenses of the Stationery Office; and for sundry Miscellaneous Services, including Reports of Parliamentary Debates - -	48,000	7,000
For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings	3,331	—
Carried forward - - £	688,313	*—8,592

* Deficit.

Sched. (B.)
Part 3.
Civil Services (Supplementary), 1925–26.

SCHEDULE (B.)—Part 3—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	688,313	*– 8,592
Class III.		
For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, bonus to Metropolitan Police Magistrates, the contribution towards the expenses of the Metropolitan Police, the salaries and expenses of the Inspectors of Constabulary, and other grants in respect of police expenditure, including places of detention, and a grant in aid of the police federation - - - -	182,775	—
For grants in respect of police expenditure and for a grant in aid of the police federation in Scotland - - -	47,100	—
Class IV.		
For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid - -	180,000	160,000
For public education in Scotland, and for the Royal Scottish Museum, Edinburgh, including a grant in aid - -	2,200	480
For the salaries and expenses of the National Library in Scotland - -	10	1,890
Carried forward - £	1,100,398	153,778

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* Deficit.

SCHEDULE (B.)—Part 3—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - - -	1,100,398	153,778
Class V.		
For the expenses connected with Oversea Settlement, including certain grants in aid, and expenses arising out of the Empire Settlement Act, 1922, and the free passage scheme for ex-service men and women - - - - - -	10	—
Class VI.		
For the expenses of pensions, compensation allowances and gratuities awarded to retired and disbanded members and staff of the Royal Irish Constabulary, and to widows and children of such members, including annuities to the National Debt Commissioners in respect of commutation of compensation allowances, and certain extra statutory payments - - - - - - -	10	32,490
For the payment of old age pensions, for certain administrative expenses in connection therewith, and for pensions under the Blind Persons Act, 1920 -	198,000	*— 1,000
For the salaries and expenses of the Ministry of Pensions, and for sundry contributions in respect of the administration of the Ministry of Pensions Act, 1916, the War Pensions Acts, 1915 to 1921, and sundry services -	1,492,000	—
Carried forward - £	2,790,418	185,268

* Deficit.

Sched. (B.)
Part 3.
Civil Services
(Supplementary),
1925–26.

SCHEDULE (B.)—Part 3—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	2,790,418	185,268
Class VI—*cont.*		
For the salaries and other expenses of royal commissions, committees, and special inquiries, &c., including provision for shorthand, and the expenses of surplus stores, &c., liquidation -	6,225	—
For expenditure in connection with British Government exhibit and sundry displays at the British Empire Exhibition, 1925 - - - - -	10	13,000
For certain salaries and expenses of the Imperial War Graves Commission, including purchase of land in the United Kingdom, and a grant in aid of the Imperial War Graves Commission Fund, formed under royal charter, 21st May, 1917, and a contribution towards an endowment fund - -	48,700	—
Class VII.		
For the salaries and expenses of the Ministry of Health; including grants and other expenses in connection with housing, grants to local authorities, &c., in connection with public health and unemployment services, sundry grants in respect of benefits and expenses of administration under the National Health Insurance Act, 1924, certain expenses under the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, certain grants in aid, and certain special services -	10	202,390
Carried forward - £	2,845,363	400,658

SCHEDULE (B.)—Part 3—*continued.*

Sched. (B.) Part 3. Civil Services (Supplementary), 1925–26.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	2,845,363	400,658
Class VII—*cont.*		
For the salaries and expenses of the Scottish Board of Health, including expenses in connection with the administration of the Widows', Orphans' and Old Age Contributory Pensions Act, 1925; grants and other expenses in connection with housing, grants to local authorities, &c., grants in respect of benefits and expenses of administration under the National Health Insurance Act, 1924, and certain grants in aid - - - - - -	182,381	32,469
For the salaries and expenses of the Ministry of Labour and subordinate departments, including the contributions to the Unemployment Fund, and payments to associations, local education authorities and others for administration under the Unemployment Insurance and Labour Exchanges Acts; expenditure in connection with the training of demobilised Officers, non-commissioned Officers and men, and nurses; grants for resettlement in civil life; and the expenses of the Industrial Court; also expenses in connection with the International Labour Organisation (League of Nations); including a grant-in-aid - - -	10	240,990
Carried forward - £	3,027,754	674,117

Sched. (B.)
Part 3.
Civil Services
(Supplementary),
1925–26.

SCHEDULE (B.)—Part 3—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
CIVIL SERVICES—*cont.*	£	£
Brought forward - -	3,027,754	674,117
Unclassified Services.		
For guarantees in respect of export of goods wholly or partly produced or manufactured in the United Kingdom	18,000	35,000
For payments in respect of compensation for personal injuries, and for use of, or malicious damage to, property, including advances on account of prospective awards of the Compensation (Ireland) Commission, or under the Damage to Property (Compensation) Act of the Irish Free State or on the security of stock issued under that Act; ex-gratia grants; grants to refugees for the relief of distress; and advances in respect of rent and other sums payable under the Land Act, 1923, of the Irish Free State - - - -	116,720	20,210
For a grant-in-aid of the revenues of the Government of Northern Ireland -	1,200,000	—
Revenue Departments.		
For the Salaries and Expenses of the Customs and Excise Department -	60,000	—
For the Salaries and Expenses of the Post Office, including Telegraphs and Telephones - - - - -	847,000	80,000
Total Civil Services and Revenue Departments - - - -	5,269,474	809,327

SCHEDULE (B.)—PART 4.

Sched. (B.)
Part 4.
Navy.

NAVY.

SCHEDULE OF SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the NAVY SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March, 1927; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For wages, &c., to 102,675 officers, seamen, and boys, and royal marines; and civilians employed on fleet services - - - -	14,718,000	83,451
2.	For victualling and clothing for the navy, including the cost of victualling establishments at home and abroad - - -	4,423,200	974,340
3.	For medical services, including the cost of medical establishments at home and abroad - - -	452,900	47,010
4.	For the fleet air arm - - -	681,000	—
5.	For educational services - - -	326,800	85,460
6.	For scientific services - - -	435,300	74,028
7.	For the royal naval reserve, the royal fleet reserve, and the royal naval volunteer reserve, &c. -	445,500	580
8.	Sect. 1. For the personnel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad - -	7,487,200	150,026
,,	Sect. 2. For the matériel for shipbuilding, repairs, maintenance, &c., at dockyards and naval yards at home and abroad - -	5,480,200	1,775,200
,,	Sect. 3. For contract work for shipbuilding, repairs, &c. - -	7,427,200	128,500
	Carried forward - £	41,877,300	3,318,595

Sched. (B.)
Part 4.
Navy.

SCHEDULE (B.)—Part 4—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward	41,877,300	3,318,595
No. 9. For naval armaments (including wages, &c., of 450 marine pensioner police)	3,436,400	417,810
10. For works, buildings, and repairs at home and abroad, including the cost of superintendence, purchase of sites, grants in aid, and other charges connected therewith	2,375,300	300,000
11. For various miscellaneous effective services	971,400	65,756
12. For the Admiralty Office	1,220,000	29,302
13. For non-effective services (naval and marine)—officers	2,859,600	27,088
14. For non-effective services (naval and marine)—men	4,510,400	36,750
15. For civil superannuation, compensation allowances and gratuities	849,600	18,427
Total Navy Services £	58,100,000	4,213,728

SCHEDULE (B.)—Part 5.

Sched. (B.)
Part 5.
Army.

ARMY.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the Army Services herein particularly mentioned, which will come in course of payment during the year ending on 31st day of March 1927; viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the pay, &c. of His Majesty's Army (to a number not exceeding 159,400) at home and abroad (exclusive of India) - - -	9,474,000	4,858,000
2. For the Army Reserve, Supplementary Reserve, Territorial Army, Officers' Training Corps, and Channel Islands and Colonial Militia, &c. - - - - -	5,392,000	25,500
3. For medical services - - -	986,000	47,000
4. For educational establishments -	932,000	107,000
5. For quartering and movements -	1,669,000	839,000
6. For supplies, road transport, and remounts - - - - -	5,912,000	373,000
7. For clothing - - - - -	1,109,000	265,000
8. For general stores - - - -	891,000	658,000
9. For warlike and engineer technical stores, including technical establishments - - - - -	2,345,000	765,000
Carried forward - £	28,710,000	7,937,500

Sched. (B).
Part 5.
Army.

SCHEDULE (B.)—Part 5—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - - -	28,710,000	7,937,500
No. 10. For works, buildings, and lands, including military and civilian staff and other charges in connection therewith - - - -	3,944,000	300,000
11. For miscellaneous effective services -	1,044,000	467,500
12. For the War Office - - - -	879,000	5,500
13. For rewards, half-pay, retired pay, widows' pensions, and other non-effective charges for officers - -	3,633,000	650,500
14. For Chelsea and Kilmainham hospitals, out-pensions, rewards for distinguished services, widows' pensions, and other non-effective charges for warrant officers, non-commissioned officers, and men, &c. - - - - - -	4,050,000	558,900
15. For civil superannuation, compensation, additional allowances, gratuities, injury grants, &c. -	240,000	100
Total Army Services - £	42,500,000	9,920,000
Army (Ordnance Factories).		
For the ordnance factories, the cost of productions of which will be charged to the army, navy, air force and Indian, Dominion and Colonial Governments -	100	2,735,200
Total Army Services (including Ordnance Factories) - - - £	42,500,100	12,655,200

SCHEDULE (B.)—Part 6.

Sched. (B). Part 6. Air.

AIR.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the Air Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the pay, &c., of 35,500 of all ranks of the Air Force - - -	3,405,000	1,262,000
2. For the quartering, stores (except technical), supplies, and transport - - - - - -	1,507,000	761,000
3. For technical and warlike stores (including experimental and research services) - - - -	6,091,000	2,140,000
4. For works, buildings, repairs, and lands, including civilian staff, and other charges connected therewith	2,347,000	496,000
5. For medical services - - -	209,000	138,500
6. For educational services - - -	432,000	16,000
7. For auxiliary and reserve forces -	406,000	500
8. For Civil Aviation - - - -	462,000	11,000
9. For the meteorological and miscellaneous effective services - -	135,000	37,000
10. For the Air Ministry - - -	761,000	1,000
11. For rewards, half-pay, retired pay, widows' pensions, and other non-effective services - - - -	245,000	1,500
Total Air Services - £	16,000,000	4,864,500

Sched. (B.)
Part 7.
Civil Services
Class I.

SCHEDULE (B.)—Part 7.

CIVIL SERVICES.—Class I.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For expenditure in respect of royal palaces, including a grant in aid	107,550	10,500
2. For expenditure in respect of Osborne - - - - -	17,635	4,825
3. For expenditure in respect of the royal parks and pleasure gardens -	212,550	38,905
4. For expenditure in respect of the Houses of Parliament buildings -	77,110	400
5. For expenditure in respect of miscellaneous legal buildings, Great Britain - - - - -	84,720	1,285
6. For expenditure in respect of Art and Science buildings, Great Britain - - - - -	323,200	12,400
7. For expenditure in respect of diplomatic and consular buildings -	192,475	5,850
8. For expenditure in respect of Customs and Excise, Inland Revenue, Post Office and Telegraph buildings in Great Britain, and certain Post Offices abroad, and for certain expenses in connection with boats and launches belonging to the Customs and Excise Department - - - - - -	1,325,100	46,700
9. For expenditure in respect of Employment Exchange, and Insurance buildings, Great Britain (including Ministries of Labour and Health) - - - -	522,200	21,500
Carried forward - £	**2,862,540**	**142,365**

SCHEDULE (B.)—Part 7—*continued.*

Sched. (B.)
Part 7.
Civil Services.
Class I.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward -	2,862,540	142,365
No. 10. For expenditure in respect of sundry public buildings in Great Britain not provided for in other Votes, including Historic Buildings, Ancient Monuments and Brompton Cemetery - -	1,605,110	212,500
10a. For expenditure in respect of Housing Schemes under the management of the Office of Works - - - - - -	10	131,015
10b. For a contribution to the cost of the improvement of the approach to the Mall - - - - -	10	—
11. For the expenses of the survey of Great Britain, and of minor services connected therewith -	157,345	87,535
12. For the expense of constructing a new harbour of refuge at Peterhead - - - - -	32,000	—
13. For rates and contributions in lieu of rates, &c., in respect of property in the occupation of the Crown for the Public Service, and for rates on buildings occupied by Representatives of British Dominions and of Foreign Powers, and to pay the salaries and expenses of the Rating of Government Property Department, and a contribution towards the expenses of the London Fire Brigade	1,818,748	66,200
14. For expenditure in respect of public works and buildings in Ireland -	83,290	10,870
Total Civil Services, Class I. £	6,559,053	650,485

SCHED. (B.)
PART 8.
Civil
Services.
Class II.

SCHEDULE (B.)—PART 8.

CIVIL SERVICES.—CLASS II.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries and expenses of the offices of the House of Lords - - - - - -	55,996	4,500
2. For the salaries and expenses of the House of Commons - -	354,561	15,000
3. For the salaries and other expenses in the department of His Majesty's Treasury and subordinate departments - - - - - -	313,382	27,969
4. For the salaries and expenses of the office of His Majesty's Secretary of State for the Home Department and subordinate offices, including Liquidation Expenses of the Royal Irish Constabulary and contributions (including certain extra-statutory payments) towards the expenses of a system of Probation - -	421,976	65,455
5. For the salaries and expenses of the department of His Majesty's Secretary of State for Foreign Affairs - - - - -	198,271	111,494
Carried forward - £	1,344,186	224,418

SCHEDULE (B.)—Part 8—*continued.*

Sched. (B.)
Part 8.
Civil
Services.
Class II.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward -	1,344,186	224,418
6.	For the salaries and expenses of the department of His Majesty's Secretary of State for the Colonies - - - - -	139,468	1,419
7.	For the salaries and expenses of the Department of His Majesty's Secretary of State for Dominion Affairs - - - - -	46,059	—
8.	For a contribution towards the cost of the department of His Majesty's Secretary of State for India in Council, including a grant in aid -	86,401	—
9.	For the salaries and expenses of the department of His Majesty's most Honourable Privy Council -	10,008	5,250
10.	For the salaries and expenses of the office of the Committee of Privy Council for Trade, and subordinate departments, including certain Services arising out of the War - - - - -	521,191	572,803
10a.	For expenditure arising out of contracts dated 9th April 1918, and 3rd March 1922, entered into with the Zinc Producers' Association Proprietary, Limited, for the purchase of Zinc Concentrates - - - - - -	525,500	1,790,000
	Carried forward - £	2,672,813	2,593,890

Sched. (B.)
Part 8.
Civil
Services.
Class II.

SCHEDULE (B.)—Part 8—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	2,672,813	2,593,890
No. 11. For the salaries and expenses of the Department of Overseas Trade, including a grant in aid of the Imperial Institute - - -	337,040	53,102
12. For the salaries and expenses of certain services transferred from the Mercantile Marine Fund and other services connected with the Mercantile Marine, including the Coastguard, General Register and Record Office of Shipping and Seamen, Merchant Seamen's Fund Pensions and grants to the General Lighthouse Fund and other Lighthouse Authorities -	407,811	283,146
13. For the salaries and expenses of the Board of Trade, under the Bankruptcy Act, 1914 - - -	10	172,555
14. For the salaries and expenses of the Mines Department of the Board of Trade - - - - -	190,630	6,382
15. For the salaries and expenses of the Ministry of Agriculture and Fisheries, expenses under the Agricultural Wages (Regulation) Act, 1924, loans to agricultural co-operative societies, grants for Agricultural Education and Research, grants for eradication of Tuberculosis in cattle, grants for land drainage, a grant in aid of the Small Holdings Account, and certain other grants in aid; and of the Royal Botanic Gardens, Kew -	2,009,128	550,905
Carried forward - £	5,617,432	3,659,980

SCHEDULE (B.)—Part 8—*continued.*

Sched. (B.)
Part 8.
Civil
Services.
Class II.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	5,617,432	3,659,980
No. 15a. For a subsidy on sugar and molasses manufactured from beet grown in Great Britain - - - -	2,750,000	—
16. For a grant in aid of the Forestry Fund - - - - - -	335,000	—
17. For the salaries and expenses of the Ministry of Transport under the Ministry of Transport Act, 1919, expenses of the Railway Rates Tribunal under the Railways Act, 1921, expenses under the London Traffic Act, 1924, expenses in respect of advances under the Light Railways Act, 1896, expenses of maintaining Holyhead Harbour, advances to meet deficit in Ramsgate Harbour Fund, and advances to Caledonian and Crinan Canals, and for expenditure in connection with the technical survey for a general scheme of generation and transmission of electricity in Great Britain and with the Severn Barrage Investigation - - -	141,724	152,200
18. For the salaries and expenses of the Charity Commission for England and Wales - - - -	39,289	4,000
19. For the salaries and expenses of the Department of the Government Chemist - - - -	61,175	—
Carried forward - - £	8,944,620	3,816,180

Sched. (B
Part 8.
Civil
Services.
Class II.

SCHEDULE (B.)—Part 8—*continued.*

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward - -	8,944,620	3,816,180
20.	For the salaries and expenses of the Civil Service Commission - -	61,419	—
21.	For the salaries and expenses of the department of the Comptroller and Auditor General - - -	151,200	7,145
22.	For the salaries and expenses of the Registry of Friendly Societies -	45,270	4,350
23.	For the salaries and expenses of the department of the Government Actuary - - - - -	33,477	2,200
24.	For the salaries and expenses of the Board of Control (Lunacy and Mental Deficiency), England, and grants in respect of the maintenance of certain ex-service mental patients (including a supplementary sum of 2,800*l.*) - -	650,617	12,343
25.	For the salaries and expenses of the Mint, including the expenses of coinage, and for the expenses of the preparation of medals, dies for postage and other stamps, and His Majesty's seals - - -	150,000	4,089,000
26.	For the salaries and expenses of the National Debt Office - - -	16,920	13,630
27.	For the salaries and expenses of the Public Record Office and of the Office of Land Revenue Records and Inrolments - - - -	37,505	—
28.	For the salaries and expenses of the establishment under the Public Works Loan Commissioners - -	10	27,309
29.	For the salaries and expenses of the department of the Registrar General of Births, &c. - - -	90,350	24,000
	Carried forward - £	10,181,388	7,996,157

SCHEDULE (B.)—Part 8—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	10,181,388	7,996,157
No.		
30. For the salaries and expenses of the State Management Districts, including the salaries of the central office and the cost of acquisition and management of licensed premises - - -	100	679,585
31. For stationery, printing, paper, binding, and printed books for the public service, for the salaries and expenses of the Stationery Office, and for sundry miscellaneous services, including reports of Parliamentary Debates -	1,558,344	702,610
32. For the salaries and expenses in the office of Commissioners of Crown Lands, including bonus to Commissioner and Secretary -	27,992	—
33. For the salaries and expenses of the office of the Commissioners of His Majesty's Works and Public Buildings - - - -	566,460	81,870
34. For His Majesty's foreign and other secret services - - - -	180,000	—
35. For the salaries and expenses of the office of the Lord Privy Seal -	2,820	—
36. For the salaries and expenses of the office of His Majesty's Secretary for Scotland and subordinate offices, expenses under the Inebriates Acts, 1879 to 1900, expenses under the Private Legislation Procedure (Scotland) Act, 1899; a subsidy for steamer services to the Hebrides; and grants in respect of unemployment schemes - - - -	162,609	3,300
Carried forward - £	12,679,713	9,463,522

Sched. (B.)
Part 8.
Civil
Services.
Class II.

SCHEDULE (B.)—Part 8—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward	12,679,713	9,463,522
No.		
37. For the salaries and expenses of the Board of Agriculture for Scotland, including grants for agricultural education and training, loans to co-operative societies, and certain grants in aid	583,111	65,886
38. For the salaries and expenses of the Fishery Board for Scotland, including expenses of marine superintendence, loans to herring fishermen for the purchase of drift nets, and grants in aid of piers or quays	65,044	24,833
39. For the salaries and expenses of the General Board of Control for Scotland and grants in respect of the maintenance of certain ex-service mental patients	81,104	500
40. For the salaries and expenses of the department of the Registrar General of Births, &c., in Scotland	15,043	2,000
41. For certain Northern Ireland services, including expenditure in connection with ex-service officers and men in Northern Ireland	21,540	—
Total Civil Services, Class II. £	13,445,555	9,556,741

SCHEDULE (B.)—Part 9.

Sched. (B.) Part 9. Civil Services. Class III.

CIVIL SERVICES.—Class III.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries of the law officers department, the salaries and expenses of the departments of His Majesty's Procurator-General, and of the Solicitor for the Affairs of His Majesty's Treasury, and of the department of the Director of Public Prosecutions, for the costs of prosecutions, of other legal proceedings, and of Parliamentary Agency - - - - -	197,354	45,000
2.	For certain miscellaneous legal expenses, for the salaries and expenses of Arbitrators, &c., under the Acquisition of Land (Assessment of Compensation) Act, 1919, for the salaries and expenses of the War Compensation Court under the Indemnity Act, 1920, and for a grant in aid of the expenses of the Incorporated Law Society of England - - - - -	50,517	—
3.	For such of the salaries and expenses of the Supreme Court of Judicature and Court of Criminal Appeal as are not charged on the Consolidated Fund, including bonus on certain statutory salaries, and a grant in aid, and the salaries and expenses of Pensions Appeals Tribunals - - - - -	402,450	130,960
	Carried forward - - £	650,321	175,960

SCHED. (B.)
PART 9.
Civil Services.
Class III.

SCHEDULE (B.)—PART 9—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	650,321	175,960
No. 4. For the salaries and expenses of the office of Land Registry - - -	119,632	—
5. For the salaries and expenses of the office of Public Trustee - - -	10	224,885
6. For the salaries and expenses connected with the County Courts, including bonus to County Court Judges - - - - - -	10	700,245
7. For the salaries of the Commissioner and Assistant Commissioners of the Metropolitan Police, and of the Receiver for the Metropolitan Police District, bonus to Metropolitan Police Magistrates, the contribution towards the expenses of the Metropolitan Police, the salaries and expenses of the Inspectors of Constabulary, and other grants in respect of Police Expenditure, including places of detention and a grant in aid of the Police Federation - - - - - -	6,914,997	210
8. For the expenses of the prisons in England and Wales - - -	977,976	208,500
9. For grants in respect of the maintenance of juvenile offenders in reformatory and industrial schools, and in auxiliary homes in England and Wales, and whilst under supervision; also for the payment of salaries and other expenses in connection with the collection of parental contributions towards the maintenance of children - -	270,950	20,550
Carried forward - £	8,933,896	1,330,350

SCHEDULE (B.)—PART 9—*continued.*

SCHED. (B.)
PART 9.
Civil
Services.
Class III.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	8,933,896	1,330,350
No.		
10. For the expense of the maintenance of criminal lunatics in the Broadmoor Criminal Lunatic Asylum -	74,338	4,762
11. For the salaries and expenses of the Lord Advocate's department and other law charges, the salaries and expenses of the Courts of Law and Justice and of Pensions Appeals Tribunals in Scotland, and bonus on certain statutory salaries - - - - - - -	83,659	116,000
12. For the salaries and expenses of the office of the Scottish Land Court, including bonus to members of the Court - - - - - - -	10,610	—
13. For the salaries and expenses of the offices in His Majesty's General Register House, Edinburgh - -	75,965	—
14. For grants in respect of Police Expenditure and for a grant in aid of the Police Federation in Scotland - - - - - -	825,000	—
15. For the salaries and expenses of the Prison Commissioners for Scotland, and of the prisons under their control, including the maintenance of criminal lunatics, defectives, and inmates of the State inebriate reformatory, the preparation of judicial statistics, and a grant for certain expenses connected with discharged prisoners - - -	159,107	26,742
Carried forward - £	10,162,575	1,477,854

Sched. (B.)
Part 9.
Civil
Services.
Class III.

SCHEDULE (B.)—Part 9—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	10,162,575	1,477,854
No. 16. For the expense of the maintenance of juvenile offenders in reformatory, industrial, and day industrial schools, and in auxiliary homes in Scotland, including the expenses of collection of parental contributions - - - -	70,957	3,500
17. For such of the salaries and expenses of the Supreme Court of Judicature of Northern Ireland, and of the Land Registry of Northern Ireland, as are not charged on the Consolidated Fund, and other expenses - - -	47,435	1,400
18. For the salaries and expenses of the Land Purchase Commission in Northern Ireland, including the payment of Land Purchase Annuities in Northern Ireland and the expenses of certain Land Purchase Services in the Irish Free State reserved as an imperial liability - - - - -	1,935,979	164,900
Total Civil Services, Class III. £	12,216,946	1,647,654

SCHEDULE (B.)—Part 10.

Sched. (B.)
Part 10.
Civil
Services.
Class IV.

CIVIL SERVICES.—Class IV.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
1.	For the salaries and expenses of the Board of Education, and of the various establishments connected therewith, including sundry grants in aid - - - - -	44,300,000	34,356
2.	For the salaries and other expenses of the British Museum, and of the Natural History Museum, including certain grants in aid - -	303,420	18,465
3.	For the salaries and expenses of the National Gallery, and of the National Gallery of British Art, Millbank, including a grant in aid for the purchase of pictures - -	29,713	3,650
4.	For the salaries and expenses of the National Portrait Gallery, including a grant in aid for the purchase of portraits - - - - -	7,886	920
5.	For the salaries and expenses of the Wallace Collection - - -	12,548	2,250
6.	For the salaries and expenses in respect of the London Museum, Lancaster House - - - -	4,498	1,010
7.	For the salaries and expenses of the Imperial War Museum - -	12,985	790
	Carried forward - £	44,671,050	61,441

Sched. (B.)
Part 10.
Civil
Services.
Class IV.

SCHEDULE (B.)—Part 10—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	44,671,050	61,441
No. 8. For sundry grants in aid of scientific investigation, &c., and other grants - - - - - -	201,468	—
9. For the salaries and expenses of the Department of Scientific and Industrial Research, including the Geological Survey of Great Britain, the Museum of Practical Geology, and certain grants in aid - - - -	442,877	144,018
10. For grants in aid of the expenses of certain Universities, Colleges, Medical Schools, &c., in Great Britain, and of the expenses under the Welsh Intermediate Education Act, 1889 - - -	1,581,700	—
11. For public education in Scotland, and for the Royal Scottish Museum, Edinburgh, including a grant in aid - - - -	6,430,342	160
12. For the salaries and expenses of the National Gallery, Scotland, the Scottish National Portrait Gallery, and the Museum of Antiquities, including certain grants in aid - - - -	10,512	168
13. For the salaries and expenses of the National Library, Scotland, including a grant in aid - - -	10	4,869
Total Civil Services, Class IV. - - - - £	53,337,959	210,656

SCHEDULE (B.)—PART 11.

Sched. (B.) Part 11. Civil Services. Class V.

CIVIL SERVICES—CLASS V.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several CIVIL SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the expenses in connection with His Majesty's embassies, missions, and consular establishments abroad, and other expenditure chargeable to the Consular Vote, and for relief of refugees from the Near East, certain special grants including a grant in aid and sundry services arising out of the War - - - - -	1,102,525	595,755
2. For sundry colonial services, including certain grants in aid -	442,699	—
3. For sundry Dominion services, for advances in certain cases on account of liabilities assumed by the government of the Irish Free State in connection with compensation for damage to property or with land purchase, for certain ex gratia grants, and for expenditure in connection with ex-service men in the Irish Free State -	86,593	42,000
4. For the expenses connected with Oversea Settlement, including certain grants in aid and expenses arising out of the Empire Settlement Act, 1922, and the Free Passage Scheme for ex-service men and women - - - -	935,000	75,000
Carried forward - £	2,566,817	712,755

Sched. (B.)
Part 11.
Civil
Services.
Class V.

SCHEDULE (B.)—Part 11—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	2,566,817	712,755
No. 5. For sundry Middle Eastern services under His Majesty's Secretary of State for the Colonies, including certain non-effective services and grants in aid - - - -	4,444,000	—
6. For a grant in aid of the expenses of the League of Nations and for other expenses in connection therewith, including British Representation before the Permanent Court of International Justice - - - - -	78,000	—
7. For a grant in aid of the expenses of a system of submarine cables and wireless telegraph stations in the West Indian Islands and British Guiana - - - - -	10	10,300
8. For a grant in aid of the Empire Marketing Fund - - - -	500,000	—
Total Civil Services, Class V. - - £	7,588,827	723,055

SCHEDULE (B.)—Part 12.

Sched. (B.) Part 12. Civil Services. Class VI.

CIVIL SERVICES.—Class VI.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For superannuation, compensation, compassionate and additional allowances and gratuities under sundry Statutes, for compassionate allowances, gratuities and supplementary pensions awarded by the Treasury, and, under the Government of Ireland Act, 1920, by the Civil Service Committee; and for the salary of the medical referee, &c. - - - - - -	1,440,042	90,780
2. For the expenses of pensions, compensation allowances, and gratuities awarded to retired and disbanded members and staff of the Royal Irish Constabulary, and to widows and children of such members, including annuities to the National Debt Commissioners in respect of commutation of compensation allowances and certain extra statutory payments - -	704,060	1,242,000
3. For Old Age Pensions, for certain administrative expenses in connection therewith, and for pensions under the Blind Persons Act, 1920 - - - - - - -	29,840,000	5,000
Carried forward - - £	31,984,102	1,337,780

Sched. (B.)
Part 12.
Civil
Services.
Class VI.

SCHEDULE (B.)—Part 12—*continued.*

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - - -	31,984,102	1,337,780
No. 4. For the Treasury Pensions Account in accordance with the provision of the Widows', Orphans' and Old Age Contributory Pensions Act, 1925 - - - - - -	4,000,000	—
5. For the salaries and expenses of the Ministry of Pensions, and for sundry contributions in respect of the administration of the Ministry of Pensions Act, 1916, and the War Pensions Acts, 1915 to 1921, and sundry services -	63,504,900	60,000
6. For War pensions and allowances (including cost of treatment) to merchant seamen and fishermen and their dependants, and the administrative expenses connected therewith - - - - -	452,216	—
7. For certain miscellaneous expenses, including certain grants in aid and bonus on certain statutory salaries	12,716	12,000
8. For the salaries and other expenses of Royal Commissions, Committees, and Special Inquiries, &c., including provision for Shorthand and the expenses of surplus stores, &c., liquidation - - - -	32,000	279,990
9. For the salaries and expenses of the National Savings Committee -	81,579	—
Carried forward - - £	100,067,513	1,689,770

SCHEDULE (B.)—Part 12—*continued.*

Sched. (B.)
Part 12.
Civil
Services.
Class VI.

No.		Sums not exceeding	
		Supply Grants.	Appropriations in Aid.
		£	£
	Brought forward - -	100,067,513	1,689,770
10.	For certain salaries and expenses of the Imperial War Graves Commission, including purchase of land in the United Kingdom, and a grant in aid of the Imperial War Graves Commission Fund formed under Royal Charter, 21st May 1917, and a contribution towards an endowment fund - - -	1,008,114	—
11.	For making good certain sums written off from the assets of the Local Loans Fund, together with certain sums due in respect of advances in Northern Ireland -	93,025	—
12.	For expenses under the Representation of the People Act, 1918 -	305,000	—
13.	For a grant-in-aid of the Development Fund - - - - -	200,000	—
14.	For a grant-in-aid of the Government Hospitality Fund (including a supplementary sum of £25,000) -	30,000	—
15.	For repayment to the Civil Contingencies Fund of certain Miscellaneous advances - - - -	24,712	—
16.	For defraying the liability under the Government guarantee in respect of any loss which may result from the holding of the British Empire Exhibition - - - - - -	275,000	—
	Total Civil Services, Class VI. £	102,003,364	1,689,770

Sched. (B.)
Part 13.
Civil
Services.
Class VII.

SCHEDULE (B.)—Part 13.

CIVIL SERVICES.—Class VII.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Civil Services herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries and expenses of the Ministry of Health, including grants and other expenses in connection with Housing, grants to local authorities, &c., in connection with Public Health Services, grants-in-aid in respect of benefits and expenses of administration under the National Health Insurance Acts, certain expenses in connection with the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, and certain special services - - -	18,117,048	495,206
2. For the salaries and expenses of the Scottish Board of Health, including grants and other expenses in connection with Housing, grants to local authorities, &c., grants in respect of benefits and expenses of administration under the National Health Insurance Acts, certain expenses in connection with the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, and certain grants-in-aid - - - - - -	2,728,345	87,973
Carried forward - £	20,845,393	583,179

SCHEDULE (B.)—Part 13—*continued.*

Sched. (B.)
Part 13.
Civil
Services.
Class VII.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	20,845,393	583,179
No. 3. For the salaries and expenses of the Ministry of Labour and Subordinate Departments, including the contributions to the Unemployment Fund, and payments to associations, Local Education Authorities and others for administration under the Unemployment Insurance and Labour Exchanges Acts; expenditure in connection with the training of demobilised officers, non-commissioned officers and men and nurses; grants for resettlement in civil life; and the expenses of the Industrial Court; also expenses in connection with the International Labour Organisation (League of Nations) including a grant in aid - - -	11,720,135	4,692,303
4. For the salaries and expenses of the audit staff under the National Health Insurance Act, 1924 -	165,900	4,500
5. For making good the deficiency on the Income Account of the Fund for Friendly Societies -	5,991	—
Total Civil Services, Class VII. - £	32,737,419	5,279,982

Sched. (B.)
Part 14.
Unclassified
Services.

SCHEDULE (B.)—PART 14.

UNCLASSIFIED SERVICES.

SCHEDULE of SUMS granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the SERVICES herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz. :—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For grants to local authorities, &c., in Great Britain for assistance in carrying out approved schemes of useful work to relieve unemployment - - - -	225,000	—
2. For relief arising out of unemployment (including a supplementary sum of £1,075,000) - - -	2,221,100	—
3. For grants to local authorities, &c., in England and Wales in respect of capital works approved as unemployment schemes - - -	1,200,000	—
4. To provide for guarantees in respect of exports of goods wholly or partly produced or manufactured in the United Kingdom -	10	55,000
5. For the salaries and expenses in connection with Shipping Liquidation	10	1,594,990
6. For expenditure arising from the Government control of railways in Great Britain and Ireland under the Regulation of the Forces Act, 1871, section 16 - - - -	100	402
7. For claims in respect of ships or cargoes condemned as naval prize or detained - - - - -	23,800	—
8. For a subvention in aid of Wages in the Coal Mining Industry (including a supplementary sum of £250,000)	4,350,000	—
Carried forward - £	8,020,020	1,650,392

SCHEDULE (B.)—Part 14—*continued.*

Sched. (B.) Part 14. Unclassified Services.

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
	£	£
Brought forward - -	8,020,020	1,650,392
No. 9. For certain expenses incurred in setting up and maintaining organisations for supplying the necessities of Life and in connection with the maintenance of order during an emergency and for grants in respect of emergency police expenditure -	433,000	—
10. For the purchase and importation of coal in connection with the stoppage in the coal industry - - -	3,000,000	—
Total Unclassified Civil Services £	11,453,020	1,650,392

SCHEDULE (B.)—Part 15.

Sched. (B.) Part 15. Revenue Departments, &c.

REVENUE DEPARTMENTS, &c.

Schedule of Sums granted, and of the sums which may be applied as appropriations in aid in addition thereto, to defray the charges of the several Revenue Departments, &c., herein particularly mentioned, which will come in course of payment during the year ending on the 31st day of March 1927; viz.:—

	Sums not exceeding	
	Supply Grants.	Appropriations in Aid.
No.	£	£
1. For the salaries and expenses of the Customs and Excise Department -	4,920,000	247,000
2. For the salaries and expenses of the Inland Revenue Department -	6,864,652	43,725
3. For the salaries and expenses of the Post Office, including Telegraphs and Telephones - - - -	54,600,000	2,448,212
Total Revenue Departments - £	66,384,652	2,738,937

Sched. (C.)
Part I.
Navy
Services.
Section 5.

SCHEDULE (C)—Part I.

NAVY SERVICES, 1924–25. VOTES.	Excesses.			Surpluses applied.		
	£	s.	d.	£	s.	d.
3. Medical Services -	5,934	16	10	—		
5. Educational Services -	6,094	16	4	—		
8. Shipbuilding Repairs, Maintenance, &c. :—						
Section II.—Matériel	236,034	2	5	—		
Section III.—Contract Work - - -	89,062	7	8	—		
9. Naval Armaments -	9,782	5	4	—		
11. Miscellaneous Effective Services - - -	17,737	16	4	—		
Navy Votes generally, including Excess Vote -	—			690,959	7	8
	364,646	4	11	690,959	7	8
	Net Surplus £326,313 2 9					

Sched. (C.)
Part II.
Air Services.
Section 5.

SCHEDULE (C)—Part II.

Air Services, 1924–25. Votes.	Deficits.		
	Excesses of actual over estimated gross Expenditure.	Deficiencies of actual as compared with estimated Receipts.	Surpluses of estimated over actual gross Expenditure.
	£ s. d.	£ s. d.	£ s. d.
1. Pay, &c., of the Air Force -	143,485 8 0	—	—
2. Quartering, Stores (except Technical), Supplies, and Transport - - -	—	150,334 14 11	239,328 6 3
3. Technical and Warlike Stores (including Experimental and Research Services) - - -	389,829 18 3	—	—
4. Works, Buildings, and Lands - - - -	—	145,703 8 9	549,178 2 10
5. Medical Services - -	—	38,809 16 11	36,847 13 8
6. Educational Services -	—	5,131 9 11	25,058 3 5
7. Auxiliary and Reserve Forces - - - -	—	373 17 9	71,198 8 4
8. Civil Aviation - - -	—	—	152,044 19 2
9. Meteorological and Miscellaneous Effective Services	—	18,206 8 8	42,675 15 9
10. Air Ministry - - -	—	—	8,283 16 5
11. Half-Pay, Pensions, and other Non-Effective Services - - -	—	403 13 2	32,738 2 7
Amount written off as Irrecoverable - -	3,895 19 9	—	—
	537,211 6 0	358,963 10 1	1,157,353 8 5
	Total Deficits : £896,174 16 1		Total Surpluses: £1,157,353 8 5
	Net Surplus £261,178 12 4		

CHAPTER 24.

An Act to amend the law with respect to the drainage of agricultural land.

[4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Transfer of drainage powers to councils of counties and county boroughs. 8 & 9 Geo. 5. c. 17.

1.—(1) The powers of the Minister of Agriculture and Fisheries (hereinafter referred to as "the Minister") under Part II. of the Land Drainage Act, 1918, shall be transferred to the councils of counties and county boroughs, and accordingly that Part of that Act in its application to any county or county borough shall have effect as if for references to the Board of Agriculture and Fisheries there were substituted references to the council of the county or county borough: Provided that—

(*a*) in the case of the powers conferred by subsection (2) of section fifteen of the Land Drainage Act, 1918, and transferred to the council of a county or a county borough by this section, the council shall, except in case of emergency, before exercising any such powers, give to the drainage authority in whose default they propose to exercise such powers not less than thirty days notice in writing of their intention so to do, and that if before the expiration of the period of notice the drainage authority intimate in writing to the council their objection to the exercise of the proposed powers, the council shall not exercise the same except with the consent of the Minister who may, if he thinks fit, cause a public local inquiry to be held with respect to the objection;

(*b*) in the case of the powers conferred by section sixteen of the Land Drainage Act, 1918, and transferred to the council of a county or county borough by this section, where a draft scheme has been prepared by the council of a county or county borough in pursuance thereof, and the owners of one-half or more of the land comprised within the area to which the draft scheme relates have duly presented objections thereto and have not withdrawn the same, the council shall before settling the scheme cause a public local enquiry to be held with reference to the scheme.

(2) Section seventeen of the said Act is hereby repealed.

Maintenance of drains, &c.

2.—(1) Where any drain within the meaning of this section is in such a condition that the proper flow of water is impeded, then, unless the condition of the drain is attributable to the subsidence of surface due to mining operations, it shall be the duty of the person having control of the drain, or of the part thereof where the impediment occurs, to put the drain or such part thereof in proper order if by reason of such impediment agricultural land belonging to or in the occupation of some other person is injured by water, or in danger of being so injured.

(2) Where the council of a county or county borough are of opinion that by reason of the act or default of any person any such drain within the county or county borough is in such a condition that the proper flow of water is impeded and that by reason of the condition of the drain agricultural land belonging to or in the occupation of some other person is injured by water or is in danger of being so injured, the council may serve upon the person by whose act or default such flow is impeded notice requiring him to put the drain or any part thereof in proper order: Provided that no such notice shall be given in any case where the works required can conveniently be dealt with by a scheme under section sixteen of the Land Drainage Act, 1918, as amended by this Act.

(3) Subject to the right of appeal hereinafter contained, it shall be the duty of every person upon whom any such notice has been served within two months of the date of the service of the notice to comply with the requirements of the notice.

(4) Any person upon whom any such notice has been served may within twenty-one days from the date of the service of the notice either—

(*a*) complain to a court of summary jurisdiction on any of the grounds hereinafter mentioned; or (*b*) by notice in writing addressed to the clerk of the council require that any question, being a matter on which he might complain to a court of summary jurisdiction, shall be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Surveyors' Institution.

(5) The grounds upon which any such person may so complain to a court of summary jurisdiction are all or any of the following :—

(*a*) that the service on him of the notice is not authorised by this section ;

(*b*) that the condition of the drain is not due to any act or default on his part ;

(*c*) that the notice cannot reasonably be enforced against him having regard to any or all of the following considerations, namely—

(i) the nature and extent of the land in respect of which his liability arises, and the extent to which such land abuts on the drain or the part thereof to which the notice relates ;

(ii) the extent and nature of his estate or interest in any such land ;

(iii) the expenses which would be involved in complying with the notice.

(6) Any person upon whom any such notice has been served and who alleges that the condition of the drain is attributable to the subsidence of surface due to mining operations may, within twenty-one days from the date of the service of the notice, by notice in writing addressed to the clerk of the council require such allegation to be referred to the arbitration of a single arbitrator to be appointed in default of agreement by the President of the Institution of Civil Engineers.

(7) The court of summary jurisdiction or arbitrator may either confirm or annul the notice to which the complaint or reference relates, or vary any requirement thereof.

(8) If either party is aggrieved by the decision of a court of summary jurisdiction on a complaint under this section, he may appeal to a court of quarter sessions, and on any such appeal the court of quarter sessions

shall have power to make any order which the court of summary jurisdiction might have made.

(9) If within two months after the service of a notice under this section, or in the case of a complaint or appeal or a reference to arbitration under this section, within two months after the confirmation or variation of the notice, the requirements contained in the notice or in the notice as varied, as the case may be, are not complied with, the council may, if they think fit, execute the necessary works and recover the expenses thereof from the person in default summarily as a civil debt.

Where several persons are in default, the council may apportion amongst them the expenses incurred by the council in such manner as they think just, but the court before which proceedings for the recovery of any apportioned part of the expenses are instituted may, if they think fit, vary the apportionment.

(10) Nothing in this section shall affect the right of an owner or occupier to recover from the other under the terms of any lease or other contract for the time being in force the amount of any expenses incurred by him under the foregoing provisions of this section or recovered from him by the council.

(11) Where a local authority have powers vested in them for securing the proper flow of water in any drain under their jurisdiction, the county council, except by agreement with the local authority, shall not exercise their powers under this section in relation to the drain unless after reasonable notice from the council the local authority have made default in the proper exercise of such powers as aforesaid.

(12) For the purposes of this section, the expression "drain" includes any stream, ditch, drain, cut, culvert, dyke, or sluice: Provided that where any drain as so defined is under the jurisdiction of a drainage authority, a board of conservators or an inland navigation authority, which is exercising its powers, this section shall not apply to the drain except with the consent of the authority or board.

(13) This section shall have effect as if it formed part of Part II. of the Land Drainage Act, 1918.

Provisions as to councils.

3.—(1) The expenses of a council under this Act, so far as they are not defrayed out of moneys recovered by the council in accordance with this Act, shall be defrayed—

(*a*) in the case of the council of a county, out of the county fund as expenses for general county purposes, or if and so far as the council think fit, as expenses for special county purposes, charged on such parts of the county as the council think fit; and

(*b*) in the case of the council of a county borough out of the borough fund or borough rate:

Provided always that the expenses referred to in this section and incurred in connection with this Act shall not exceed in amount the sum which would be produced by a rate of one penny in the pound levied over the county or county borough.

(2) The council of a county or county borough may borrow for the purposes of this Act—

(*a*) in the case of a county, in accordance with the Local Government Act, 1888; 51 & 52 Vict. c. 41.

(*b*) in the case of a county borough, in accordance with the Public Health Acts, 1875 to 1925.

(3) The council of a county or county borough may delegate, with or without restrictions, to the agricultural committee of the council any of their powers and duties under this Act, and the agricultural committee may delegate with or without restrictions to a sub-committee of the said agricultural committee any of their powers and duties under this Act.

(4) The councils of two or more counties or county boroughs may combine for the purposes of the joint exercise of any powers conferred on them by or under this Act, and may for that purpose appoint a joint committee, consisting of members of the agricultural committees of such respective councils, and may agree as to the proportions in which the several councils represented on the joint committee are to contribute towards the expenses thereof.

Powers of entry on land.

4. Any person authorised in that behalf by the council of a county or county borough for the purpose of carrying their powers under this Act into effect may, after notice in writing to the occupier and on production, if so required of his authority, enter on and inspect any land.

If any person prevents or obstructs the entry for the purpose aforesaid upon any land of any person authorised under this section, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

Service of notices.

5. Notices required or authorised to be served under this Act by the council of a county or county borough may be served by registered post or by delivering the same to or at the residence of the person to whom they are addressed, or, where addressed to the owner or occupier of premises, by delivering the same or a copy thereof to some person on the premises, or if there is no person on the premises who can be served, by fixing the same on some conspicuous part of the premises.

Amendment of 8 & 9 Geo. 5. c. 17. s. 5.

6.—(1) The council of a county or county borough acting under this Act shall be deemed to be a drainage authority for the purposes of section five of the Land Drainage Act, 1918, which enables local authorities to contribute to the expenses of the execution or maintenance of drainage works by a drainage authority.

(2) The making of contributions under that section as so amended shall be a purpose for which a local authority may borrow under the Public Health Acts, 1875 to 1925.

Saving of existing powers.

7. The powers conferred on councils of counties and county boroughs by or in pursuance of this Act shall be in addition to and not in derogation of any other powers possessed by any such councils independently of this Act: Provided that, where by any local Act powers are conferred on the council of any county or county borough similar to the powers conferred by this Act and such local Act contains provisions for the protection of any authorities, companies or persons, those provisions shall apply in relation to the exercise by the council of the powers under this Act in like manner as they apply in relation to the exercise of the powers under the local Act.

Short title and commencement.

8.—(1) This Act may be cited as the Land Drainage Act, 1926, and shall be construed as one with the Land Drainage Act, 1918, and that Act and this Act may be cited together as the Land Drainage Acts, 1918 and 1926.

(2) This Act shall come into operation on the first day of October, nineteen hundred and twenty-six.

CHAPTER 25.

An Act to amend the Petroleum Acts, 1871 and 1879. [4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Definition of "petroleum" and "petroleum spirit." 34 & 35 Vict. c. 105.

1.—(1) Section three of the Petroleum Act, 1871, shall cease to have effect, and that Act shall have effect as if the expression "petroleum spirit" were therein substituted for the expression "petroleum to which this Act applies" wherever that expression occurs.

(2) For the purposes of the Petroleum Acts, 1871 and 1879, and of this Act unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say—

"petroleum" includes crude petroleum, oil made from petroleum, or from coal, shale, peat or other bituminous substances, and other products of petroleum; and

"petroleum spirit" means such petroleum as when tested in the manner set forth in the First Schedule to this Act gives off an inflammable vapour at a temperature of less than seventy-three degrees Fahrenheit.

Amendment as to verification and stamping of testing apparatus.

2. Apparatus for testing petroleum stamped by the Board of Trade in accordance with the provisions of section three of the Petroleum Act, 1879, shall not be deemed to have been verified by the Board unless—

(*a*) it has been stamped within ten years; and

(*b*) no part of the apparatus has been materially altered, repaired, or replaced since the apparatus was last stamped.

3. Subject as hereinafter provided, the provisions contained in the First Schedule to this Act shall have effect in lieu of the provisions contained in the First Schedule to the Petroleum Act, 1879 (which relate to the mode of testing petroleum), and references in the Petroleum Acts, 1871 and 1879, to the First Schedule to those Acts respectively shall be construed as references to the First Schedule to this Act :

Amendment as to method of testing of petroleum.

Provided that—

(*a*) apparatus made in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, may be verified and stamped by the Board of Trade in accordance with the provisions of section three of that Act as originally enacted, so, however, that no such apparatus shall be so verified and stamped after the expiration of a period of two years from the commencement of this Act unless it has been previously verified and stamped before the expiration of that period ; and

(*b*) petroleum tested in manner provided by Part II. of the First Schedule to this Act by means of apparatus made in accordance with the specification contained in the First Schedule to the Petroleum Act, 1879, which has been verified and stamped by the Board, shall, subject to the provisions of this Act relating to the verification and stamping of apparatus, be deemed to have been tested in the manner set forth in the First Schedule to this Act.

4. Section eleven of the Petroleum Act, 1871 (which empowers an officer of the local authority to purchase petroleum from any dealer in it, to require the dealer to show him any place or vessel in which petroleum in his possession is kept and give him samples of such petroleum, and to cause any samples so taken to be tested and any petroleum which is found to be petroleum spirit to be certified as such), and section twelve of the said Act (which imposes penalties on a dealer who refuses to comply with any such requirement

Extension of 34 & 35 Vict. c. 105, ss. 11 & 12, to persons keeping petroleum for the purposes of trade or industry.

as aforesaid or who fails to give assistance to or obstructs any such officer or the local authority), shall apply with respect to any person who keeps petroleum for the purposes of any trade or industry carried on by him, as those sections apply with respect to a dealer in petroleum, and accordingly references in each of the said sections to a "dealer" shall be construed to include references to any person who keeps petroleum for such purposes as aforesaid.

Byelaws as to the loading and carriage of petroleum spirit in ships.

5.—(1) The byelaws as to ships carrying petroleum required to be made and confirmed under section four of the Petroleum Act, 1871, shall include byelaws as to the loading of ships with petroleum spirit and generally as to the precautions to be observed with respect to ships carrying petroleum spirit whilst in harbour.

(2) Until byelaws made under the said section four as amended by this section come into force, any byelaws in force at the commencement of this Act with respect to the landing of petroleum spirit, shall, so far as applicable, apply with the necessary modifications to the loading of ships with petroleum spirit.

28 & 29 Vict. c. 125.

(3) If it appears to the Admiralty that byelaws under the said section four ought to be made with respect to any place within the limits of a dockyard port as defined by the Dockyard Port Regulation Act, 1865, but that there is no harbour authority competent to make byelaws with respect to that place, the Admiralty may make byelaws with respect thereto, and the said section four shall apply accordingly subject to the modifications that the provisions thereof as to the submission of byelaws to the Minister of Transport and the confirmation thereof by him, and as to the publication of byelaws, shall not apply as respects any byelaws made by the Admiralty, and any byelaws so made shall come into force without confirmation and shall be published in such manner as the Admiralty think proper.

(4) In the event of a failure to comply with or of a contravention of the requirements of any byelaw in force under the said section four as amended by this section, the owner and master of any ship in or in relation to which the failure or contravention occurs, and, except in the case of a failure or contravention in

respect of the mooring of a ship, the owner of any petroleum spirit in respect of which the failure or contravention occurs, shall be guilty of an offence under this section and shall in respect of each such offence, be liable, on summary conviction, to a fine not exceeding fifty pounds, or, in the case of a continuing offence, not exceeding fifty pounds for every day on which the offence is committed or continued:

Provided that it shall be a good defence to proceedings for an offence under this section to prove—

(*a*) if the proceedings are against the owner or master of a ship for an offence in respect of the landing or loading of petroleum spirit, that all reasonable means were taken by the master to prevent the commission of the offence, and that the offence was not caused or facilitated by any act or neglect on the part of the owner or of any person engaged or employed by the owner or master; and

(*b*) if the proceedings are against the owner of petroleum spirit for an offence in respect of the landing or loading thereof, or in respect of any failure to observe precautions required to be observed with respect to ships carrying petroleum spirit whilst in harbour, that the offence was not caused or facilitated by any act or neglect on his part or on the part of any person engaged or employed by him.

(5) If it appears to a harbour master or to any person acting under the orders of a harbour authority that any ship or any petroleum spirit is in a place in which it ought not, in accordance with any such byelaws as aforesaid to be, he may cause it to be removed so as to be in conformity with the byelaws, and all expenses incurred by the harbour authority in connection with any such removal may be recovered summarily as a civil debt from the owner of the ship or of the petroleum spirit, as the case may be.

Penalties for contravention of 34 & 35 Vict. c. 105. ss. 6 and 7.

6.—(1) Any person who keeps, sends, conveys, sells or exposes for sale any petroleum spirit in contravention of section six of the Petroleum Act, 1871, shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

(2) The occupier of any premises in which petroleum spirit is kept in contravention of section seven of the Petroleum Act, 1871, shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the contravention continues.

(3) A court before whom any person is convicted in respect of a contravention of the provisions of section six or seven of the Petroleum Act, 1871, may order that the petroleum spirit in respect of which the offence was committed and any vessel in which it is contained be forfeited or otherwise dealt with in such manner as they think fit.

Provisions as to conditions attached to licences.

7.—(1) If any person to whom a licence is granted under the Petroleum Act, 1871, contravenes any condition of the licence he shall be liable on summary conviction to a fine not exceeding twenty pounds for each day on which the contravention continues.

(2) Where conditions to be observed by persons employed are attached to any licence granted under the Petroleum Act, 1871, the occupier of the premises to which the licence relates shall cause to be kept posted on the premises in such form and in such position as to be easily read by the persons employed on the premises a notice setting out those conditions, and—

(*a*) if the occupier of any premises fails to comply with the foregoing requirements of this subsection he shall be liable on summary conviction to a fine not exceeding five pounds for each day on which the failure continues; and

(*b*) if any person pulls down, injures or defaces any notice posted in accordance with the requirements of this subsection he shall for each offence be liable on summary conviction to a fine not exceeding five pounds; and

(*c*) if any person employed contravenes any condition of which notice has been given in accordance with the requirements of this subsection he shall for each offence be liable on summary conviction to a fine not exceeding five pounds.

Fees payable for licences.

8. In respect of every licence granted by a local authority under section seven or by a Secretary of State under section ten of the Petroleum Act, 1871, fees shall be payable annually by the person to whom the licence is granted to the local authority or to the Secretary of State, as the case may be, in accordance with the scale set out in the Second Schedule to this Act, or such lower scale as the Secretary of State may with the consent of the Treasury prescribe by regulations.

Application of certain provisions of 38 Vict. c. 17.

9. The provisions of the Explosives Act, 1875, set out in the Third Schedule to this Act with the modifications necessary for their application to petroleum spirit, are as so set out hereby incorporated with this Act.

Byelaws and regulations to be laid before Parliament.

10. All byelaws made by the Admiralty under this Act and all regulations made by the Secretary of State as to the conveyance of petroleum spirit by road shall be laid before each House of Parliament as soon as may be after they are made, and, if an Address is presented to His Majesty by either House of Parliament within the next subsequent forty days on which that House has sat next after any such byelaw or regulation is laid before it, praying that the byelaw or regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new byelaw or regulation.

Short title, citation, construction, extent and repeal.

11.—(1) This Act may be cited as the Petroleum Act, 1926, and the Petroleum Acts, 1871 and 1879, and this Act may be cited together as the Petroleum Acts, 1871 to 1926.

(2) Except where the context otherwise requires, references in this Act to the Petroleum Act, 1871, and the Petroleum Act, 1879, shall be construed as references to those Acts as amended by this Act, and this Act shall be construed as one with those Acts.

(3) This Act shall not extend to Northern Ireland.

(4) The enactments specified in the Fourth Schedule to this Act are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULES.

Section 3.

FIRST SCHEDULE.

Test Apparatus to be used and mode of testing Petroleum therewith so as to ascertain the Temperature at which it will give off Inflammable Vapour.

Part I.

Specification of the Test Apparatus.

General.

The apparatus to be employed shall be the Abel Petroleum Testing Apparatus or the Abel apparatus modified by having an oil cup provided with a stirrer. It shall be constructed to the dimensions herein specified within the limits of accuracy prescribed by the tolerances set forth below.

The Oil Cup.

The oil cup consists of a cylindrical vessel open at the top and fitted on the outside with a flat circular flange projecting at right angles.

Within the cup, fixed through the wall and silver soldered or brazed in place, there is a gauge consisting of a piece of wire bent upwards and terminating in a point.

Material. Brass or Gun-metal.

—	Dimension.	Tolerance.
Cup, wall and bottom thickness - - -	17 B.W.G.	—
,, internal diameter - - - -	2″	±0·05″
,, internal depth - - - - -	2·2″	±0·05″
Flange, thickness - - - - -	17 B.W.G.	—
,, width - - - - - -	0·5″	±0·05″
,, distance of upper side from top edge of cup.	0·375″	±0·05″
Gauge, thickness, not less than - - -	10 I.W.G.	—
,, distance of point from level of upper edge of cup.	0·7″	±0·005″

1st Sch.
—*cont.*

The Cover.

The cup is provided with a close-fitting cover with a downward projecting rim barely reaching the flange on the cup. The downward projecting rim is made solid with the top or silver soldered or brazed in place. Upon the cover are mounted a thermometer socket, trunnions to support an oil-test lamp, a pair of guides in which a slide moves, and a white bead. The top of the cover is pierced by three rectangular holes symmetrically placed on a diameter, one in the centre and the other two as close as practicable to the inner sides of the cover-rim and opposite each other. These three holes are covered or uncovered by means of a slide moving in suitably disposed guides. The slide has two perforations, one corresponding in all particulars to the centre hole in the cover and the other to one of the holes at the side. The movement of the slide is restricted by suitable stops, and its length and the disposition of the holes are such, that at the outer extremity of the movement of the slide, the holes in the cover are simultaneously just completely opened and at the inner extremity of the movement of the slide they are completely closed.

The trunnions supporting the test lamp are fixed on the top of the guides and the lamp is mounted in the trunnions so that it is free to oscillate. The lamp is provided with a jet to contain a wick and is so arranged that when the slide is moved so as to uncover the holes, the oscillating lamp is caught by a pin fixed in the slide and tilted over the central hole in such a way that the lower edge of the cover bisects the circle formed by the bore of the jet when in the lowest position. The flame then occupies a central position within the hole in both directions.

A suitably mounted gas-jet may be substituted for the lamp.

The thermometer socket is in the form of a split tube, mounted on a diameter at right angles to the diameter through the centres of the holes, and fitted at such an angle as to bring the bulb of the thermometer, when in place, vertically below the centre of the cover and at the correct distance from it.

A white bead, the dimensions of which represent the size of test flame to be used, is mounted in a visible position on the cover.

Materials. All parts excepting bead, brass or gun-metal.
Bead, ivory or other suitable material.

——	Dimension.	Tolerance.
Cover, thickness - - - -	0·05″	+0·015″
„ central hole, length (in direction of slide).	0·5″	±0·005″
„ width	0·4″	±0·005″
„ peripheral holes length (in direction of slide).	0·2″	±0·005″
width	0·3″	±0·005″

1st Sch.
—*cont.*

—	Dimension.	Tolerance.
Slide, thickness - - - -	20 B.W.G.	—
„ width of upper surface - -	0·5″	+0·01″ (excess only).
Lamp. Overall length of jet -	Approx. 0·6″	To suit the requirements for the position of jet when tilted.
„ Bore of jet at end - -	0·0625″	±0·005″
Bead. Diameter - - -	0·15″	±0·01″
Thermometer Socket:		
Internal diameter - - -	0·6″	±0·01″
Length of short side measured from under surface of cover.	Approx. 0·5″	—
Length of long side measured from under surface of cover.	Approx. 0·75″	—
Distance of centre of socket from centre of cover measured on the underside.	Approx. 0·7″	
These dimensions are subject to the correct placing of the thermometer when in position.		
Vertical depth of lowest part of thermometer below centre of under-side of cover.	1·5″	±0·1″

Cover fitted with stirrer.

Provision may be made in the cover for the reception of a stirrer which projects into the oil cup, for use with viscous materials only.

A bush is mounted on the cover in a position diametrically opposite the thermometer mounting and its length is such and it is set at such an angle that the stirrer rod clears the oil-level gauge and the blades operate below the level of and without fouling the thermometer bulb. The bush is placed as near as practicable to the outer edge of the cover.

The stirrer consists of a round stem having four blades or vanes silver soldered in place at one end. A collar is fixed on the stem so that when the stem is inserted into the bush from below, it is arrested at a position such that the correct length protrudes into the oil cup. The top end of the stem is reduced and screwed.

A long sleeve having an internally screwed, knurled knob soldered to its upper end, is passed over the upper end of the stem and screwed home. The length of the sleeve is such that a flat-faced collar at its lower end just comes into contact with the upper end of the bush, leaving the stirrer free to rotate without appreciable vertical play.

1st Sch. —*cont.*

A flat-headed cylindrical plug is provided for insertion in the bush when the stirrer is not in use.

Material. Brass or Gun-metal.

——	Dimension.	Tolerance.
Stem, length overall - - - - -	4″	±0·1″
,, ,, Lower end to point of attachment of blades.	Approx. 0·1″	—
,, ,, Lower end to upper surface of collar.	1·9″	±0·1″
,, ,, Upper surface of collar to lower end of thread.	2″	±0·1″
,, ,, Diameter of stem - - -	Approx. 0·125″	—
,, ,, ,, of collar - - -	Approx. 0·25″	—
,, Thread - - - - - -	7 B.A.	—
Blades, Thickness - - - - -	17 B.W.G.	—
,, Length excluding root - - -	0·5″	±0·01″
,, Breadth (all corners of blades rounded).	$\frac{5}{16}$″ (0·3125″).	±0·01″
,, Blade angle - - - - -	Approx. 45°	—
Sleeve. Length, to suit stem, giving free rotation with no appreciable vertical play when screwed home.	—	—
Diameter of bore - - - - -	Sliding fit on stem.	—
Diameter of collar - - - - -	Approx. 0·25″	—

Heating Vessel.

The heating vessel or bath consists of two flat-bottomed cylindrical copper vessels placed coaxially one inside the other and soldered at their tops to a flat copper ring, greater in outside diameter than the larger vessel and of smaller inside diameter than the smaller vessel. The space between the two vessels is thus totally enclosed and is used as a water jacket.

An ebonite or fibre ring of right-angle section is fitted into the hole in the centre of the flat ring forming the top of the bath and, when the apparatus is in use, the oil cup fits into, and its flange rests upon, this ebonite or fibre ring so that the oil cup is centrally disposed within the heating vessel. The ebonite or fibre ring is secured in place by means of six small screws having their heads sunk below the surface of the ring, to avoid metallic contact between the bath and the oil cup.

A split socket, similar to that on the cover of the oil cup, but set vertically, allows a thermometer to be inserted into the water-space. A funnel and overflow pipe also communicate with the water-space through the top plate and two loop handles are provided thereon.

—	Dimension.	Tolerance.
Inner vessel:		
Thickness	24 B.W.G.	—
Internal diameter	3″	±0·05″
Internal depth	2·5″	±0·05″
Outer vessel:		
Thickness, not less than	24 B.W.G.	—
Internal diameter	5·5″	±0·1″
Internal depth	5·75″	±0·1″
Top plate:		
Thickness, not less than	20 B.W.G.	—
Outer flange projection	0·375″	±0·1″
Diameter of central hole	To suit ebonite or fibre ring. Clearance not to exceed 0·1″.	—
Ebonite or fibre ring:		
Internal diameter	Easy fit on oil cup	—
External diameter of flange	2·75″	±0·02″
Overall depth of spigot	0·25″	±0·02″
Thickness, flange and spigot	0·08″	±0·005″
Screws, C.S.	8 B.A. × 0·15″	—
Thermometer socket:		
Internal diameter	0·6″	±0·01″
Height from top of plate	0·75″	±0·05″

The bath rests upon a cast-iron tripod stand, to the ring of which is attached a cylindrical copper jacket not less than 24 B.W.G. flanged inwards at the top, and of such dimensions that the bath, while resting firmly on the iron ring, just touches with its outward projecting flange the inward-turned flange of the jacket. Two handles are provided on the outer jacket.

Diameter of the outer jacket 6·5 inches ± 0·1 inches.

Spirit Lamp.

A spirit lamp is provided for raising the temperature of the water bath, but any other means approved by the Board of Trade may be employed for this purpose.

Thermometers.

Two thermometers are provided with the apparatus, the one for ascertaining the temperature of the bath, the other for determining the flashing point.

1st Sch. —*cont.*

Oil Cup Thermometer.

Type - -	Mercury in glass, nitrogen filled, graduated on the stem, enamel back.
Length -	Approximately 9 inches.
Stem - -	Diameter 0·24 inches to 0·28 inches.
Bulb - -	Spherical: made of a normal glass approved by the Board of Trade. Diameter, 0·35 inches ± 0·05 inches.
Range - -	50° F. to 150° F. with expansion chamber. Distance from the bottom of the bulb to the 50° line 2·75 inches to 3·15 inches. Distance from the 50° line to the 150° line not less than 4·75 inches.
Immersion -	A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 2·25 inches ± 0·05 inches.
Graduation -	Scale graduated in 1° F. divisions. Every 5° and 10° to be indicated by longer lines. Figured at every 10° in full.
Marking -	"Abel Oil Cup": Identification number: "Fahrenheit": Maker's or Vendor's name or trade mark.

Water Bath Thermometer.

Type - -	Mercury in glass, nitrogen filled, graduated on the stem, enamel back.
Length -	Approximately 9 inches.
Stem - -	Diameter, 0·24 inches to 0·28 inches.
Bulb - -	Cylindrical: made of a normal glass approved by the Board of Trade. Length approximately 0·8 inches. Diameter not to exceed the diameter of the stem.
Range - -	90° F. to 190° F. with expansion chamber. Distance from the bottom of the bulb to the 90° line 3·95 inches to 4·35 inches. Distance from the 90° line to the 190° line not less than 3·55 inches.
Immersion -	A swelling is made in the stem to ensure that the thermometer shall be fixed in its brass collar so that the distance from the top of the collar to the bottom of the bulb is 3·5 inches ± 0·1 inches.

1st Sch. —*cont.*

Graduation	Scale graduated in 1° F. divisions. Every 5° and 10° to be indicated by longer lines. Figured at every 10° in full.
Marking	"Abel Water Bath": Identification number: "Fahrenheit": Maker's or Vendor's name or trade mark.

The brass collar of the thermometer is in each case of the following dimensions:—

Outside diameter	push fit in socket.
Thickness of tube	22 B.W.G.
Thickness of flange	0·1 inches. ± 0·001 inches.

Note.—A model apparatus is deposited at the Standards Department of the Board of Trade.

Part II.

Method of applying the Flashing Test.

1. The test apparatus shall be placed for use in a position where it is not exposed to currents of air or draughts.

2. The heating vessel or water-bath shall be filled by pouring water into the funnel until it begins to flow out at the spout of the vessel. The temperature of the water at the beginning of the test shall be 130° Fahrenheit and no heat shall be applied to the water-bath during the test. When a test has been completed and it is desired to make another test the water-bath shall be again raised to 130° F. which may conveniently be done while the petroleum cup is being emptied, cooled and refilled with a fresh sample to be tested. The next test is then proceeded with.

3. If an oil test-lamp is being used it shall be prepared by fitting it with a piece of flat plaited candle-wick, and filling it with colza or rape-oil up to the lower edge of the opening of the spout or wick tube. The lamp shall be trimmed so that when lighted it gives a flame of about 0·15 of an inch diameter, and this size of flame, which is represented by the projecting white bead on the cover of the oil-cup is readily maintained by simple manipulation from time to time with a small wire trimmer. A gas test-lamp may be employed, and if so, the size of the jet of flame shall be adjusted to the size laid down above.

4. The bath having been raised to the proper temperature, the cup shall be placed on a level surface in a good light and the oil to be tested shall be poured into it, until the level of the liquid just reaches the point of the gauge which is fixed in the cup. Before a test is begun the temperature of the oil shall be

determined and shall be brought to approximately 60° F. The cover, with the slide closed, shall then be put on to the cup and pressed down so that its edge rests on the rim of the cup, and the cup shall be placed into the bath or heating vessel, every care being taken to avoid wetting the sides of the cup with the oil. The thermometer in the lid of the cup has been adjusted so as to have the correct immersion when the brass collar of the thermometer is properly seated, and its position shall not in any circumstances be altered. When the cup has been placed in the proper position, the scale of the thermometer faces the operator.

1st Sch. —*cont.*

5. The test-lamp shall then be placed in position upon the lid of the cup. When the temperature has reached 66° F. the operation of testing shall be begun, the test flame being applied once for every rise of one degree, in the following manner :—

The slide shall be slowly drawn open while a metronome, set at 75 to 80 beats per minute, beats three times and shall be closed during the fourth beat. A pendulum of 24 inches effective length may be used in place of the metronome, counting one beat from one extremity of the swing to the other.

SECOND SCHEDULE.

Section 8.

Fees payable in respect of Licences to keep Petroleum Spirit.

In respect of a licence to keep a quantity :—	Fee payable. £	s.	d.
Not exceeding 100 gallons	0	5	0
Exceeding 100 gallons, not exceeding 500 gallons	0	10	0
,, 500 ,, ,, ,, 1,000 ,,	0	15	0
,, 1,000 ,, ,, ,, 5,000 ,,	1	0	0
,, 5,000 ,, ,, ,, 10,000 ,,	2	0	0
,, 10,000 ,, ,, ,, 20,000 ,,	3	0	0
,, 20,000 ,, ,, ,, 50,000 ,,	4	0	0
Exceeding 50,000 gallons	5	0	0

Note.—In the case of a solid substance for which by virtue of an Order in Council made under section fourteen of the Petroleum Act, 1871, a licence is required to be granted under the said Act, the fee payable under this Schedule shall be calculated as if ten pounds weight of the substance were equivalent to one gallon.

Section 9.

THIRD SCHEDULE.

Provisions of Explosives Act, 1875, incorporated with Modifications.

Regulations as to conveyance by road (Explosives Act, 1875, s. 37.)

1. The Secretary of State may make regulations as to the conveyance of petroleum spirit by road, and in particular for declaring or regulating any of the following matters; that is to say,—

(1) Regulating the description and construction of carriages to be used in the conveyance by road of petroleum spirit; and

(2) Prohibiting or subjecting to conditions and restrictions the conveyance by road of petroleum spirit with any explosive, or with any articles or substances, or in passenger carriages; and

(3) Fixing the quantity of petroleum spirit which may be conveyed at one time or in one carriage; and

(4) Determining the precautions to be observed in conveying petroleum spirit by road, and in loading and unloading the carriages used in the conveyance thereof, and the time during which the petroleum spirit may be kept during such conveyance, loading and unloading as aforesaid; and

(5) Providing for the publication and supply of copies of the regulations; and

(6) Generally for protecting, whether by means similar to those above mentioned or not, persons or property from danger; and

(7) Adapting on good cause being shown the regulations in force under this section to the circumstances of any particular locality; and

(8) Providing for the enforcement of the regulations in any district by the local authority having power in that district to grant licences to keep petroleum spirit.

The penalties to be annexed to any breach, or attempt to commit any breach, of any regulations made under this section shall be recovered in manner directed by the Summary Jurisdiction Acts and may be all or any of the following penalties, and may be imposed on such persons and graduated in such manner as may be deemed just, according to the gravity of the offence, and according as it may be a first, second or other subsequent offence, that is to say, pecuniary penalties not exceeding twenty pounds for each offence, and ten pounds for each day during which the breach continues, and forfeiture of all or any part of the petroleum spirit in respect of which, or being in the carriage in respect of which, the breach of regulation has taken place.

3rd Sch.—*cont.*

Notice to be given of accidents. (Explosives Act, 1875, s. 63.)

2. Whenever any accident which occasions loss of life or personal injury occurs by explosion or by fire in or about or in connection with any licensed premises, the occupier of the premises shall if the explosion or fire involved petroleum spirit forthwith send or cause to be sent to the Secretary of State notice of the accident and of the loss of life or personal injury. A notice of any accident of which notice is sent in pursuance of this section need not be sent to any inspector of factories.

Where, in, about, or in connexion with any carriage, ship, or boat either conveying petroleum spirit, or on or from which petroleum spirit is being loaded or unloaded, any accident which occasions loss of life or personal injury occurs by explosion or by fire, the owner or master of the carriage, ship or boat shall if the explosion or fire involved petroleum spirit forthwith send or cause to be sent to the Secretary of State notice of the accident and of the loss of life or personal injury, but this provision shall not apply where the petroleum spirit carried or loaded on, or unloaded from, the carriage, ship or boat is or was for use only on that carriage, ship or boat or in any case in which such notice as aforesaid is by law required to be sent to some other Government department.

Every such occupier, owner, or master as aforesaid who fails to comply with this section shall be liable on summary conviction to a fine not exceeding twenty pounds.

Inquiry into accidents and formal investigation of any serious case. (Explosives Act, 1875, s. 66.)

3. The Secretary of State may direct an inquiry to be made by a Government inspector into the cause of any accident of which notice is required by this Act to be given to the Secretary of State, and where it appears to the Secretary of State either before or after the commencement of any such inquiry, that a more formal investigation of the accident, and of the causes and circumstances thereof, is expedient, the Secretary of State may by order direct a formal investigation to be held, and with respect to inquiries and investigations made or held under this Act the following provisions shall have effect:—

(1) The Secretary of State may, by the same or any subsequent order, appoint any person or persons possessing legal or special knowledge to assist the Government inspector in holding a formal investigation, or may direct the county court judge, stipendiary magistrate, metropolitan police magistrate, or other person or persons named in the order, to hold such an investigation with the assistance of a Government inspector or any other assessor or assessors named in the order:

(2) The persons holding any formal investigation (in this section referred to as the court) shall hold it in open court in such manner and under such conditions as they

may think most effectual for ascertaining the causes and circumstances of the accident, and for enabling them to make the report in this section mentioned :

(3) The court shall have for the purpose of the investigation all the powers of a court of summary jurisdiction when acting as a court in hearing informations for offences against this Act, and shall have all the powers of a Government inspector under this Act, and in addition the following powers, namely—

(*a*) They may enter and inspect any place or building the entry or inspection whereof appears to them requisite for the said purpose;

(*b*) They may by summons under their hands require the attendance of all such persons as they think fit to call before them and examine for the said purpose, and may for the said purpose require to be furnished to them answers or returns to such inquiries as they think fit to make;

(*c*) They may require the production of all books, papers, and documents which they consider important for the said purpose;

(*d*) They may administer an oath, and require any person examined to make and sign a declaration of the truth of the statements made by him in his examination :

(4) Persons attending as witnesses before the court shall be allowed such expenses as would be allowed to witnesses attending before a court of record; and in case of dispute as to the amount to be allowed, the dispute shall be referred by the court to a master of one of the superior courts, who, on request under the hands of the members of the court, shall ascertain and certify the proper amount of the expenses :

(5) Any person who without reasonable excuse (proof whereof shall lie on him) either fails, after having had the expenses (if any) to which he is entitled tendered to him, to comply with any summons or requisition of a court holding an investigation under this Act, or prevents or impedes the court in the execution of their duty, shall for every such offence incur a penalty not exceeding ten pounds, and in the case of a failure to comply with a requisition for furnishing any return or producing any document, not exceeding ten pounds during every day that the failure continues :

(6) The Government inspector making an inquiry into any accident and the court holding an investigation of any accident under this section shall make a report to the Secretary of State, stating the causes of the accident and all the circumstances attending it, and any observations thereon or on the evidence or on any matters arising out of the inquiry or investigation which he or they think right to make to the Secretary of State, and the Secretary of State shall cause every report so made to him to be made public in such manner as he thinks expedient.

Powers of inspectors. (Explosives Act, 1875, s. 55.)

4. A Government inspector shall have power to make such examination and inquiry as may be necessary to ascertain whether this Act is complied with, and for that purpose,—

(1) he may enter, inspect, and examine at all reasonable times by day any licensed premises, and every part thereof, and any premises in which any petroleum spirit is kept, or is suspected by him to be kept in contravention of this Act; and

(2) he may require the occupier of any premises which he is so entitled to enter, or a person employed therein by the occupier, to give him samples of any petroleum on the premises.

The occupier of any such premises as aforesaid, his agents and servants, shall furnish the means required by an inspector as necessary for every such entry, inspection and examination which he is entitled under this section to make.

Any person who fails to permit an inspector to enter, inspect or examine as aforesaid, or to comply with any such requisition of an inspector as aforesaid, or who in any manner obstructs an inspector in the execution of his duties, shall be liable, on summary conviction, to a fine not exceeding one hundred pounds.

Provisions as to coroners' inquests on deaths from accidents connected with petroleum spirit. (Explosives Act, 1875, s. 65.)

5.—(1) Where a coroner holds an inquest upon the body of any person whose death may have been caused by any accident of which notice is required by this Act to be given to the Secretary of State, the coroner shall adjourn the inquest unless a Government inspector, or some person on behalf of the Secretary of State, is present to watch the proceedings:

Provided that if the accident has not occasioned the death of more than one person, and the coroner has sent to the Secretary of State notice of the time and place of holding the inquest not less than forty-eight hours before the time of the holding thereof, it shall not be imperative on him to adjourn the inquest in pursuance of this section if the majority of the jury think it unnecessary that he should do so.

3rd Sch. —*cont.*

(2) The coroner before the adjournment, may take evidence to identify the body, and may order the interment thereof.

(3) The coroner at least four days before holding the adjourned inquest, shall send to the Secretary of State notice in writing of the time and place of holding the adjourned inquest.

(4) An inspector or person employed on behalf of the Secretary of State shall be at liberty at any such inquest as aforesaid to examine any witness, subject nevertheless to the order of the coroner on points of law.

(5) Where evidence is given at an inquest at which no inspector or person employed on behalf of the Secretary of State is present, of any neglect as having caused or contributed to the accident, or of any defect in or about or in connection with any licensed premises, or any carriage, ship or boat carrying petroleum spirit, appearing to the coroner or jury to require a remedy, the coroner shall send to the Secretary of State notice in writing of the neglect or defect.

Interpretation.

6. In this Schedule—

The expression " licensed premises " means any premises in respect of which a licence is in force under the Petroleum Act, 1871; and

The expression " Government inspector " means a Government inspector under the Explosives Act, 1875.

Application to Scotland.

7. In the application of this Schedule to Scotland—

The expression " a master of one of the superior courts " means the auditor of the Court of Session;

The expression " attending before a court of record " means attending on citation the High Court of Justiciary;

The expressions " stipendiary magistrate " and " court of summary jurisdiction " mean the sheriff; and

The expression " information " means complaint.

FOURTH SCHEDULE.

Section 11.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
34 & 35 Vict. c. 105.	The Petroleum Act, 1871	Section three, the last paragraph of section four, the last paragraph of section six, the second paragraph of section seven, in section nine the words "the mode of carrying such petroleum within the district of the licensing authority" and the third paragraph.
42 & 43 Vict. c. 47.	The Petroleum Act, 1879	Section two.
44 & 45 Vict. c. 67.	The Petroleum (Hawkers) Act, 1881.	The whole Act.

CHAPTER 26.

An Act to protect the names, uniforms, and badges of associations incorporated by Royal Charter. [4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Protection of name, uniform, &c. of chartered associations.

1.—(1) His Majesty may from time to time, by Order in Council made on the application of any association incorporated by Royal charter not being an association representative of any profession or business, protect—

(*a*) the name of the association; and

(*b*) any special name or designation specified in the Order and used by the association for the members thereof, or for the members of any organisation constituted by the association in pursuance of their charter; and

(*c*) any uniform with distinctive markings or badges used by the association and described in the Order; and

(*d*) any badge to be worn without uniform used by the association and described in the Order:

Provided that nothing in any such Order or in this Act shall deprive any bonâ fide national organisation of the right to use any designation, uniform or badge which at the time of the passing of this Act is in regular use by that organisation.

(2)—(i) An Order in Council under this section shall not be made unless notice of the application for an Order has been given in such manner and accompanied by such particulars as the Secretary of State may direct.

(ii) The Secretary of State shall consider any objections to an Order which are made by or on behalf of any persons or societies affected or likely to be affected by the Order.

(iii) An Order in Council under this section shall be laid as soon as may be before both Houses of Parliament, and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-one days on which that House has sat next after any such Order is laid before it, praying that the Order may be annulled, His Majesty in Council may annul the Order, and it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder.

(iv) Any Order in Council under this Act may be amended or revoked by a subsequent Order in Council.

(3) Where the use by an association of any name, designation, uniform or badge has been so protected, a person shall not, without the authority of the association, use the name, designation, uniform or badge the use of which is so protected, or any name, designation, uniform, or badge so closely resembling the name, designation, uniform or badge the use of which is protected as to lead to the belief that it is that name, designation, uniform or badge.

(4) If any person acts in contravention of this section, he shall be liable in respect of each offence, on summary conviction, to a fine not exceeding ten pounds:

Provided that this section shall not prevent any person from wearing or using any uniform, badge or distinctive marking in the course or for the purpose of a stage play or representation, or a music-hall or circus performance, pageant or production of a cinematograph film, if the uniform, badge or distinctive mark is not worn or used in such a manner or under such circumstances as to bring it into contempt.

(5) Where on an application made by or on behalf of an association to which this Act applies any such uniform or badge as is mentioned in subsection (1) of this section has at any time been registered under Part II. of the Patents and Designs Act, 1907, an Order in Council under this Act may be made on the application of that association for protecting that uniform or badge, notwithstanding that the copyright in respect thereof has expired.

7 Edw. 7. c. 29.

Description of uniform to be furnished on application for protection.

2. Any association making application for the protection of a uniform shall, together with the application, furnish an exact and detailed description of the uniform, both in respect to form and colour, such as may clearly indicate what are the precise extent and limits of the protection to be granted.

Savings.

3. No Order in Council shall be made under this Act protecting any article (other than a badge or decoration) used by an association in connection with or as part of the uniform of its members in respect of which or any part of which any design shall have been registered under the Patents and Designs Act, 1907, or any amendment thereof, unless the owner of such registered design shall without fee or reward be ready and willing to permit and shall permit the use of such registered design by any person, firm, or corporation willing to supply such article to any member or members of such association.

Nothing in this Act shall prevent the continued use of any mark or device which has been bonâ fide used as a trade mark before the coming into force of this Act.

Short title and application.

4.—(1) This Act may be cited as the Chartered Associations (Protection of Names and Uniforms) Act, 1926.

(2) This Act shall not apply to Northern Ireland.

CHAPTER 27.

An Act to amend the law with respect to Customs in the Isle of Man. [4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Duties on tobacco. 8 & 9 Geo. 5. c. 41.

1.—(1) The additional duties of Customs on tobacco removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1918, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

9 & 10 Geo. 5. c. 74.

(2) In the case of the duties of Customs on tobacco removed or imported into the Isle of Man, the preferential rate under section five of the Isle of Man (Customs) Act, 1919 (which relates to Imperial preference) shall be three-fourths of the full rate.

Duties on ale or beer. 15 & 16 Geo. 5. c. 56.

2. The duties of Customs on ale or beer removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

Duties on spirits. 11 & 12 Geo. 5. c. 40.

3. Save as hereinafter provided, the additional duties of Customs on spirits removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1921, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven:

Provided that, in the case of the spirits set out in the First Schedule to this Act, there shall, as from the twenty-second day of June, nineteen hundred and twenty-six, be charged, levied and paid such additional duties of Customs as shall be sufficient to make, when added to the existing duties, duties at the rates set out in that Schedule.

4. The duties of Customs on cocoa removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1924, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

Duties on cocoa. 14 & 15 Geo. 5. c. 24.

5. The duties of Customs on hops, and on extracts, essences and other similar preparations made from hops, removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

Duties on hops.

6.—(1) The duties of Customs on motor cars, including motor bicycles and motor tricycles, and their accessories and component parts, removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

Duties on motor cars, &c.

(2) The exemption from Customs duty which is given by subsection (3) of section six of the said Act in respect of motor cars which are proved to the satisfaction of the Commissioners of Customs and Excise to be constructed and adapted for use and intended to be used solely for certain trade and other purposes, and chassis, component parts and accessories which are so proved to be intended to be used solely for any such motor cars, shall be deemed to have ceased as from the twenty-second day of June, nineteen hundred and twenty-six, except as respects any such cars, chassis, parts or accessories which are shown to the satisfaction of the Commissioners to have been removed or imported into the Isle of Man before the said twenty-second day of June:

Provided that, notwithstanding any repeal effected by this section, the last paragraph of the said subsection (3) shall continue to have effect in relation to any motor car, chassis, component part or accessory which is shown to the satisfaction of the Commissioners to have been removed or imported into the Isle of Man before the said twenty-second day of June.

Duties on musical instruments, clocks, films, &c.

7. The duties of Customs on—

(*a*) musical instruments, including gramophones, pianolas and other similar instruments;

(*b*) accessories and component parts of musical instruments, and records and other means of reproducing music;

(*c*) clocks, watches and component parts of clocks and watches; and

(*d*) cinematograph films,

removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

Duties on silk.

8.—(1) Save as hereinafter provided, the duties of Customs on silk or artificial silk removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven:

Provided that, in the case of silk tissues of which the warp or weft consists of yarn wholly or partly discharged and the weft or warp of undischarged yarn, the duty payable in respect of the tissue shall, instead of being charged at the rate of seven shillings and ninepence the pound, as provided by Part I. of the Schedule to that Act, be charged at the rate of five shillings and threepence the pound in respect of the undischarged yarn, and at the rate of seven shillings and ninepence the pound in respect of the yarn wholly or partly discharged which is contained therein.

(2) Where, on or after the first day of August, nineteen hundred and twenty-six, any article of apparel made wholly or partly of silk is removed or imported into the Isle of Man by any person for his own use and not for sale, the article, instead of being charged with duty in accordance with the provisions of Part I. of the Schedule to the Isle of Man (Customs) Act, 1925, may, at the option of the importer, be charged with a duty calculated on the whole weight of the article at a rate equal to twice the rate of the duty chargeable under the said Part I. in respect of the class of silk contained in the article.

For the purposes of this subsection—

(i) the expression "silk" includes artificial silk;

(ii) where silk of several classes is contained in the article, the article shall be chargeable with duty as if all the silk so contained were silk of that one of those classes in respect of which the highest rate of duty is payable under the said Part I.;

(iii) in determining the class to which any silk belongs, regard shall be had to the stage of manufacture in which the silk appears in the article.

Duties on wines.

9. The duties of Customs on wines removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

Duties on lace.

10.—(1) The duty of Customs on lace removed or imported into the Isle of Man imposed by the Isle of Man (Customs) Act, 1925, shall continue to be charged, levied and paid as from the first day of August, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven.

(2) Where it appears to the Lieutenant-Governor of the Isle of Man as respects any articles, or articles of any class, liable to duty under this section as consisting of or containing lace or embroidery, to be inexpedient having regard to the small value of that lace or embroidery that duty should be charged thereon, the Lieutenant-Governor may by order exempt those articles, or articles of that class, from duty under this section.

Remission of Customs duties in case of antique articles.

11. On and from the twenty-second day of June, nineteen hundred and twenty-six, Customs duties shall not be charged in respect of any goods (other than wines or spirits) removed or imported into the Isle of Man which are proved to the satisfaction of the Commissioners of Customs and Excise to have been manufactured or produced more than one hundred years before the date of removal or importation.

Duties on matches.

12.—(1) On and from the twenty-second day of June, nineteen hundred and twenty-six, there shall be charged, levied and paid on matches removed or imported into the Isle of Man a duty of Customs at the rate of five shillings and twopence for every ten thousand matches so removed or imported:

Provided that, where the Commissioners of Customs and Excise are satisfied that a box of matches so removed or imported contains more than eighty matches, the duty of Customs to be charged on any matches so contained exceeding eighty shall be at the rate of three shillings and fivepence instead of at the rate of five shillings and twopence for every ten thousand matches.

(2) For the purposes of the duties under this section a match which has more than one point of ignition shall be reckoned as so many matches as there are points of ignition.

(3) The Commissioners of Customs and Excise may make regulations with respect to the collection of the duties under this section, and may for that purpose apply, with the necessary modifications, to matches removed or imported into the Isle of Man any enactments applicable to duties on matches imported into Great Britain or Northern Ireland.

Duties for safeguarding key industries.

13.—(1) Subject as hereinafter provided, on and from the twenty-second day of June, nineteen hundred and twenty-six, there shall be charged, levied and paid on the removal or importation into the Isle of Man of the goods specified in the first column of the Second Schedule to this Act respectively the duties of Customs specified in the second column of that Schedule.

(2) Where any other duties of Customs are chargeable in respect of any goods chargeable with duty under this section, duty under this section shall not be charged except in so far as the amount thereof exceeds the amount of those other duties.

(3) No duty shall be charged under this section on goods which are shown to the satisfaction of the Commissioners of Customs and Excise to have been consigned from and grown, produced or manufactured in the British Empire, and for the purposes of this subsection goods shall be deemed to have been manufactured in the British Empire which would be treated as having been so manufactured for the purposes of section eight of the Finance Act, 1919 (which relates to Imperial preference)

9 & 10 Geo. 5. c. 32.

if the Isle of Man were substituted in that section for Great Britain and Northern Ireland, and that section as so modified shall apply accordingly, with the substitution of the Lieutenant-Governor of the Isle of Man for the Board of Trade.

(4) Where an imported article is a compound article of which an article liable to duty under this section is an ingredient or forms part, no duty shall be charged under this section in respect of the compound article if the compound is of such a nature that the article liable to duty has lost its identity, and any dispute as to whether an article has lost its identity shall be determined in the same manner as disputes arising as to the proper rate of duty payable under this section.

(5) The provisions of section ten of the Isle of Man (Customs) Act, 1925 (which relates to the definition of value for the purposes of ad valorem duties), shall apply for the purposes of the assessment and collection of duties under this section as they apply for the purposes of the assessment and collection of duties under that Act.

(6) The Lieutenant-Governor of the Isle of Man may by order exempt any articles mentioned in the order which are liable to duty under this section from that duty if he is satisfied that, having regard to the nature or small value of the article, it is inexpedient that the duty should be charged.

(7) The Commissioners of Customs and Excise may make regulations with respect to the collection of the duties under this section, and may for that purpose apply, with the necessary modifications, to the goods chargeable with duty under this section on removal or importation into the Isle of Man any enactments applicable to duties chargeable on such goods on importation into Great Britain or Northern Ireland.

Duties on cutlery, gloves, and mantles for incandescent lighting.

14.—(1) On and from the ninth day of March, nineteen hundred and twenty-six, until the first day of August, nineteen hundred and twenty-seven, there shall be charged, levied and paid on the removal or importation into the Isle of Man of the goods (not being goods manufactured in Great Britain or Northern Ireland) specified in the first column of the Third Schedule to this Act respectively the duties of Customs specified in the second column of that Schedule.

(2) In the case of any article to which this section applies shown to the satisfaction of the Commissioners of Customs and Excise to have been consigned from and produced or manufactured in the British Empire, the rate of duty shall be two-thirds of the full rate, and the provisions of subsections (1) and (2) of section eight of the Finance Act, 1919, shall apply with respect to the preferential rates referred to in this section as they apply with respect to the preferential rates referred to in that section, and as though those provisions were herein set out and in terms made applicable to the rates referred to in this section, with the substitution of the Lieutenant-Governor of the Isle of Man for the Board of Trade.

9 & 10 Geo. 5. c. 32.

(3) Where any article chargeable with duty under this section is also chargeable with any other duties of Customs, the highest duty only shall be charged.

(4) The provisions of section ten of the Isle of Man (Customs) Act, 1925 (which relates to the definition of value for the purposes of ad valorem duties), shall apply for the purposes of the assessment and collection of duties under this section as they apply for the purposes of the assessment and collection of duties under that Act.

(5) The Lieutenant-Governor of the Isle of Man may by order exempt any articles mentioned in the order which are liable to duty under this section from that duty if he is satisfied that, having regard to the small value of the article, it is inexpedient that the duty should be charged.

Duties on playing cards.

15.—(1) On and from the twenty-second day of June, nineteen hundred and twenty-six, there shall be charged, levied and paid on playing cards removed or imported into the Isle of Man a duty of Customs at the rate of three shillings and ninepence for every dozen packs:

Provided that, where the Commissioners of Customs and Excise are satisfied that any pack so removed or imported has been manufactured in Great Britain or Northern Ireland, the duty of Customs to be charged on any such pack shall be at the rate of threepence per pack.

(2) The Commissioners of Customs and Excise may make regulations with respect to the collection of the duties under this section, and may for that purpose

apply, with the necessary modifications, to playing cards removed or imported into the Isle of Man any enactments applicable to duties on playing cards imported into Great Britain or Northern Ireland.

16. This Act may be cited as the Isle of Man (Customs) Act, 1926. Short title.

SCHEDULES.

FIRST SCHEDULE.

Section 3.

Duties on Spirits.

Nature of Spirits.	Rate of Duty.	
	Consigned from and grown, produced or manufactured in the British Empire.	Consigned from, grown, produced or manufactured elsewhere.
	£ *s.* *d.*	£ *s.* *d.*
Liqueurs, cordials and mixed or sweetened spirits, entered by the person importing them in bottle in such manner as to indicate that the strength is not to be tested, a duty at the rate of - - - - the gallon	4 14 1	4 17 5
Perfumed spirits - the gallon	5 11 0	5 15 0

SECOND SCHEDULE.

Section 13.

Goods charged with Duty under Section Thirteen.

Article.	Duty.
Optical glass and optical elements, whether finished or not, microscopes, field and opera glasses, theodolites, sextants, spectroscopes and other optical instruments, and component parts of any such optical instruments.	A duty at the rate of one-half of the value of the article.

2nd Sch.
—*cont.*

Article.	Duty.
Beakers, flasks, burettes, measuring cylinders, thermometers, tubing, and other scientific glassware and lampblown ware, evaporating dishes, crucibles, combustion boats, and other laboratory porcelain.	A duty at the rate of one-third of the value of the article.
Galvanometers, pyrometers, electroscopes, barometers, analytical and other precision balances, and other scientific instruments, gauges and measuring instruments of precision of the types used in engineering machine shops and viewing rooms, whether for use in such shops or rooms or not, and component parts of any such scientific instruments.	Ditto.
Wireless valves and similar rectifiers, and vacuum tubes.	Ditto.
Ignition magnetos and permanent magnets.	Ditto.
Hosiery latch needles - - - -	Ditto.
Metallic tungsten, ferro-tungsten, and manufactured products of metallic tungsten and compounds (not including ores or minerals) of thorium, cerium and other rare earth metals.	Ditto.
All synthetic organic chemicals (other than synthetic organic dyestuffs, colours, and colouring matters imported for use as such, and organic intermediate products imported for their manufacture), analytical reagents, all other fine chemicals (except sulphate of quinine of vegetable origin) and chemicals manufactured by fermentation processes.	Ditto.
Amorphous carbon electrodes (but not including primary battery carbons or arc-lamp carbons).	Ditto.
Molybdenum, ferro-molybdenum, and molybdenum compounds, and vanadium, ferro-vanadium, and vanadium compounds (but not including ores and minerals of molybdenum or vanadium).	Ditto.
Arc-lamp carbons - - - - -	A duty at the rate of one shilling per pound weight.

THIRD SCHEDULE.

Section 14.

GOODS CHARGED WITH DUTY UNDER SECTION FOURTEEN.

Article.	Rate of Duty.
CUTLERY.	
Knives with one or more blades made wholly or partly of steel or iron, other than surgical knives or knives for use in machines.	A duty at the rate of one-third of the value of the article.
Scissors, including tailors' shears and secateurs, made wholly or partly of steel or iron.	Ditto.
Safety razors and component parts thereof.	Ditto.
Razors, other than safety razors - -	Ditto.
Carving forks - - - - -	Ditto.
Knife sharpeners wholly or partly of steel.	Ditto.
Handles, blades or blanks for any of the above-mentioned articles.	Ditto.
GLOVES.	
Gloves made in whole or in part of leather or of fur, and leather or fur cut out ready for sewing into gloves, but not including gloves known as astrakhan gloves or gloves in which leather is used only as trimming or binding.	Ditto.
Gloves cut out of woven or knitted material consisting in whole or in part of cotton and sewn up and known as fabric gloves, and material for such gloves cut out ready for sewing.	Ditto.

3rd Sch. —*cont.*

Article.	Rate of Duty.
MANTLES FOR INCANDESCENT LIGHTING.	
Mantles for incandescent lighting, whether collodionised or not.	A duty at the rate of six shillings the gross.
Impregnated hose or stockings for use in the manufacture of such mantles.	A duty at the rate of four shillings and sixpence per pound weight.

CHAPTER 28.

An Act to make provision for facilitating the working of minerals and the better organisation of the coal mining industry, and with respect to the welfare of persons employed therein, and for other purposes connected with that industry.

[4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

PROVISIONS FOR FACILITATING THE RE-ORGANISATION OF THE COAL MINING INDUSTRY.

Power to prepare and submit to Board of Trade amalgamation and absorption schemes.

1.—(1) Where with a view to the more economical and efficient working, treating, or disposing of coal the owners of two or more undertakings consisting of or comprising coal mines agree to amalgamate their undertakings either wholly or partially, they may prepare and submit to the Board of Trade a scheme (hereinafter referred to as an amalgamation scheme) framed in accordance with the provisions of this Part of this Act.

(2) Where the owner of any such undertaking, or where the owners of two or more such undertakings who have agreed to amalgamate, consider that in the interests of the more economical and efficient working, treating,

or disposing of coal it is expedient that one or more other such undertakings, the owners of which are unwilling to agree to amalgamate or to agree to the proposed terms of amalgamation, should be absorbed wholly or partially by the first mentioned undertaking, or by the amalgamated undertaking, as the case may be, the owner or owners may prepare and submit to the Board of Trade a scheme (hereinafter referred to as an absorption scheme) framed in accordance with the provisions of this Part of this Act.

(3) In this Part of this Act—

(*a*) companies whose undertakings are to be amalgamated are referred to as constituent companies;

(*b*) a company whose undertaking is to be absorbed is referred to as an absorbed company;

(*c*) a company, whether or not an amalgamated company, in which any other company is to be absorbed is referred to as the principal company;

(*d*) "partial amalgamation" of undertakings includes the amalgamation of parts of undertakings and arrangements for the joint exercise of powers of working, treating, or disposing of coal, or powers incidental or ancillary thereto, or for the conduct of any business or operations in the common interest of the constituent companies, or the vesting in a separate company of the control of the constituent companies, and "partial absorption" has a corresponding meaning, except that no partial absorption scheme shall, without the consent of the owner of the absorbed company, provide for the separation of the treating or disposing of coal from the working thereof, or, in the case of an undertaking of which the primary object is not coal mining, provide for the separation from the undertaking of any coal mine worked as ancillary to such primary object.

Contents of total amalgamation schemes.

2. A total amalgamation scheme under this Part of this Act may contain such provisions as may be necessary or expedient for giving effect to the objects of the scheme, and in particular, but without prejudice to the generality of the foregoing provision—

(*a*) may provide either for the constitution and incorporation of a new company, or companies, under the Companies Acts, 1908 to 1917, with or without the dissolution of all or any of the constituent companies, and the transfer to the new company of the undertakings of the constituent companies, or the distribution thereof amongst the new companies and such of the constituent companies as are not dissolved, or for the continuance (with or without change of name) of one or more of the constituent companies, and the dissolution of the other constituent companies, and the transfer of their undertakings to the continued company or the distribution thereof amongst the continued companies;

(*b*) may provide for vesting in the new or continued company or any of the new or continued companies any or all of the property, rights, powers, duties and liabilities of the constituent companies;

(*c*) may provide generally as to the terms and conditions of amalgamation, and for the winding up of the constituent companies or such of them as are to be dissolved, including the allocation to holders of securities of the constituent companies, in substitution therefor and in satisfaction of all claims arising thereunder, of such securities of the new or continued company or any of the new or continued companies and of such amounts as may be specified in the scheme;

(*d*) may make such provision as may be necessary with regard to the share and loan capital of the new or continued company or companies, including provision for increasing all or any of the existing classes of loan or share capital of any such company, or creating new classes of loan or share capital of any such company, with such rights, priorities and conditions as may be specified in the scheme;

(*e*) may provide for any of the matters for which provision is made by Part V. of the Railways Clauses Act, 1863;

26 & 27 Vict. c. 92.

(*f*) may make such incidental, consequential and supplemental provisions as appear necessary or expedient in order to give full effect to the purposes of the scheme.

Contents of total absorption schemes.

3. A total absorption scheme under this Part of this Act may contain such provisions as may be necessary or expedient for giving effect to the objects of the scheme, and in particular, but without prejudice to the generality of the foregoing provision—

(*a*) may provide for vesting in the principal company the property, rights, powers, duties and liabilities of every absorbed company;

(*b*) may provide for the consideration to be given to the absorbed company or several absorbed companies and generally as to the terms and conditions of the transfer, and may provide for the consideration consisting in whole or in part of securities of the principal company, and for that purpose may provide for increasing all or any of the existing classes of loan or share capital of the principal company, or creating new classes of loan or share capital of that company, with such rights, priorities and conditions as may be specified in the scheme;

(*c*) may provide for the winding up of the absorbed company or companies, and may provide on any such winding up for the holder of securities of any absorbed company receiving, in substitution therefor and in satisfaction of all claims arising thereunder, such securities of the principal company forming part of the consideration for the transfer of its undertaking and of such amounts as may be specified in the scheme;

(*d*) may provide for any of the matters for which provision is made in Part V. of the Railways Clauses Act, 1863;

(*e*) may make such incidental, consequential and supplemental provisions as appear necessary or expedient in order to give full effect to the purposes of the scheme.

Contents of partial amalgamation and absorption schemes.

4. A partial amalgamation or absorption scheme under this Part of this Act may contain such provisions as may be necessary or expedient for giving effect to the objects of the scheme, and in particular, but without prejudice to the generality of the foregoing provision—

(*a*) may provide by means of the constitution and incorporation of a company, or by the constitution of a joint committee or otherwise, for the joint exercise of the powers, or the conduct of the business or operations, to which the scheme relates;

(*b*) may provide for transferring to, or conferring and imposing on, the company, joint committee or other body constituted for the purposes of the scheme all or any of such property, rights, powers, duties and liabilities as may be specified in the scheme;

(*c*) may provide generally as to the terms and conditions on which, and the manner in which, the powers are to be exercised, or the business or operations are to be conducted, for the common interest of the companies concerned;

(*d*) may make such incidental, consequential and supplemental provisions as appear necessary or expedient in order to give full effect to the purposes of the scheme.

Supplementary provisions as to schemes.

5.—(1) A scheme under this Part of this Act shall not provide for the allocation to any person of securities subjecting the holder thereof to any liability for calls in excess of the liability (if any) to which he was subject as the holder of the securities for which the allocated securities are to be substituted.

(2) No stamp duty shall be payable in respect of any amalgamation or absorption scheme, or on any debentures, or in respect of any share or loan capital of any company issued in pursuance of such a scheme, or on any conveyance, assignment, or transfer of any of the property or securities of any constituent or absorbed company made in pursuance of any such scheme as aforesaid.

(3) Any action taken for the purposes of or in connection with the preparation or submission of a scheme under this Part of this Act shall be deemed to

be within the powers of any company, and no such action shall give rise to a right on the part of the holders of any debentures or other securities of a company, or of any persons on their behalf, to enforce the security.

Reference of schemes to the Railway and Canal Commission.

6. The Board of Trade shall consider any scheme submitted to them, and shall, if satisfied after communication with such parties interested as they may think fit that a prima facie case is made out that the proposed scheme would promote the more economical and efficient working, treating, or disposing of coal, refer the matter to the Railway and Canal Commission.

Consideration of schemes by Railway and Canal Commission and effect of confirmation of schemes.

7.—(1) Where a scheme has been referred to the Railway and Canal Commission, the Commission, if satisfied that the scheme conforms to the requirements of this Part of this Act, shall take into consideration all objections to the scheme which may be lodged by any person or by any class or body of persons within such time and in such manner as may be directed by the Commission, and where any objections have been so lodged shall hear any objectors whom they consider entitled to appear.

(2) The Commission, after hearing such objectors as aforesaid, may confirm the scheme either without modifications or subject to such modifications as the Commission think fit, or may refuse to confirm the scheme:

Provided that the Commission—

(*a*) shall confirm a scheme if satisfied that it would be in the national interest to do so, and that the terms of the scheme are fair and equitable to all persons affected thereby, and

(*b*) may in particular, if, upon an objection lodged by the holder of any securities in a constituent or absorbed company to whom by the scheme securities in the amalgamated or principal company are allocated in substitution therefor, they are satisfied that the substitution would not be fair in his case, order that in lieu of the proposed substitution his existing securities shall be purchased at a price to be determined in such manner as the Commission may direct.

(3) The Commission may give such directions as they think fit as to the publication of advertisements of schemes, the giving of notices and the holding of meetings of companies affected, and of any classes of shareholders and debenture holders of any such companies.

(4) A scheme under this Part of this Act shall, when confirmed by the Commission, be binding on all persons and the memorandum and articles of any company and any other instrument regulating its constitution or capital shall, in so far as they may be affected by the scheme, have effect subject thereto, and the directors of every company affected by the scheme shall cause a copy thereof to be filed with the registrar of companies.

(5) Where any such scheme provides for the substitution of any securities of an amalgamated company or a principal company for securities of a constituent or absorbed company, any trustee or other person acting in a fiduciary capacity, who at the date of the amalgamation or absorption held and was entitled to hold any securities of the constituent or absorbed company, shall be entitled to hold the securities of the amalgamated or principal company which may be substituted therefor.

(6) Where any such scheme makes provision for additions to existing or the creation of new classes of share or loan capital of any existing company, then, notwithstanding anything in the memorandum or articles of association of the company, the additional capital of each class shall form part of and rank pari passu with the existing capital of that class, and any new class of capital may rank before any existing class of capital.

Representation before Commission of persons employed.

8. Upon the question whether a scheme is in the national interest the Railway and Canal Commission may hear such persons, whether in support of or against the scheme, as they think fit, including representives of persons employed in any undertakings affected by the scheme.

Power to include in schemes provisions as to working facilities.
13 & 14 Geo. 5. c. 20.

9. Any right which might be granted by the Railway and Canal Commission under Part I. of the Mines (Working Facilities and Support) Act, 1923, as amended by Part II. of this Act, may be granted by a scheme confirmed by the Commission under this Part of this Act, and, in so far as any scheme referred to the

Commission makes provision for the grant of such a right, it shall be deemed to be a matter referred to them under Part I. of the first-mentioned Act.

Withdrawal of schemes.

10. A scheme referred to the Railway and Canal Commission may at any time before confirmation thereof by the Commission be withdrawn by the persons by whom it was submitted or, subject as hereinafter provided, by any of them, upon such terms as to costs as the Commission may direct; and at least fourteen days before confirming subject to modifications any scheme submitted to them the Commission shall give notice of the modifications proposed to be made to the persons by whom the scheme was submitted:

Provided that, if any of the persons by whom the scheme was submitted is willing to proceed with the scheme, the Commission may, if satisfied that it would be in the national interest so to do, direct that any such person may, upon such terms as the Commission consider to be fair and equitable to all persons affected by the scheme, proceed with the scheme as if it were a scheme for absorbing either wholly or partially the undertakings of any of the persons desirous of withdrawing the scheme.

Application to undertakings owned by firms and individuals.

11. Where an undertaking to which this Part of this Act applies is owned by a firm, or by an individual, or by two or more individuals jointly, the provisions of this Part of this Act shall apply in relation to the undertaking subject to such modifications as may be necessary.

Powers and duties of the Board of Trade.

12.—(1) If it appears to the Board of Trade that it is the general wish of the owners of any undertakings that the Board of Trade should assist them in formulating or settling the terms of an amalgamation scheme, the Board may give such assistance.

(2) At the expiration of two years from the passing of this Act, the Board of Trade shall make a report to Parliament upon the operation of this Part of this Act, including information as to the extent to which amalgamations and absorptions have taken place among undertakings to which this Part of this Act applies and all such other information and statistics relevant thereto as they may think fit, and the Board shall thereafter continue to make a like report annually.

Part II.

Working Facilities.

Amendment as respects coal of 13 & 14 Geo. 5. c. 20, Part I.

13.—(1) Any person who is desirous of searching for or working, either by himself or through a lessee, any coal may, under and in accordance with Part I. of the Mines (Working Facilities and Support) Act, 1923 (in this Part of this Act referred to as the principal Act), make an application to search for or work the coal, and, on such an application being referred to the Railway and Canal Commission under the principal Act, the Commission may, subject to the provisions of the principal Act, grant the right if they consider that it is expedient in the national interest that the right should be granted to the applicant.

(2) Where the working of any coal, or the working of any coal in the most efficient and economical manner, is impeded by any restrictions terms or conditions contained in a mining lease, or otherwise binding on the person entitled to work the coal, a right to work the coal freed wholly or partially from such restrictions or conditions, or to work the coal on other terms and conditions, may, on an application for the purpose being made and referred to the Railway and Canal Commission under the principal Act, be granted by the Commission in any case where the Commission consider that it is expedient in the national interest that the right applied for should be granted to the applicant.

(3) An ancillary right may be granted to a person to whom a right of working coal is granted in pursuance of this Part of this Act at the time when such last-mentioned right is granted or at any subsequent time.

(4) The principal Act shall, as respects coal, have effect as if in section five the words " having an interest in any minerals," and " those minerals or any adjacent," and in section six the words " in virtue of which he is entitled to make the application " were omitted therefrom.

(5) For the purposes of this Part of this Act " coal " shall not include lignite or brown coal, but save as aforesaid shall include bituminous coal, cannel coal, anthracite, and all other minerals worked or to be worked therewith.

(6) This Part of this Act shall be construed as one with Part I. of the principal Act, and references in that Part of that Act to a right to work minerals shall include references to any right granted under this Part of this Act.

PART III.

WELFARE FUND.

Royalties welfare levy.

14.—(1) Every person liable to pay mineral rights duty on the rental value of rights to work coal and of mineral wayleaves in connection with coal, or who would be so liable but for any exception by common law or statute, shall be liable to pay for the financial year ending the thirty-first day of March, nineteen hundred and twenty-seven, and for every subsequent financial year a levy (hereinafter referred to as "the royalties welfare levy") at the rate in each case of one shilling for every twenty shillings of that rental value:

Provided that no person shall be liable to pay the royalties welfare levy in respect of any coal worked, or to be worked, by means of any mine of which the principal object is the getting of fire-clay, ganister, ironstone, or other similar minerals.

10 Edw. 7. and 1 Geo. 5. c. 8.

(2) The provisions of the Finance (1909–10) Act, 1910, relating to the assessment, collection and recovery of mineral rights duty and matters incidental thereto, as set out and adapted in the Schedule to this Act, shall apply to the royalties welfare levy, and in cases where the proprietor of the coal, or the person to whom rent is paid in respect of a right to work coal or a mineral wayleave in connection with coal, is liable to the payment of mineral rights duty, the royalties welfare levy shall be collected at the same time as and together with that duty, and in every other case the royalties welfare levy shall be payable on the first day of January in each year.

(3) For the purposes of this section and the said Schedule—

"Coal" shall not include lignite or brown coal, but save as aforesaid shall include bituminous coal, cannel coal, anthracite, and all other minerals worked therewith other than minerals exempt from mineral rights duty;

Rental value shall be determined in accordance with the provisions of the Finance (1909–10) Act, 1910, relating to mineral rights duty, as amended by any subsequent enactment;

Other expressions shall have the same meaning as in the said provisions as so amended.

(4) This section binds the Crown.

Increase in number of welfare committee. 10 & 11 Geo. 5. c. 50. 15 & 16 Geo. 5. c. 80.

15. The number of the committee constituted under section twenty of the Mining Industry Act, 1920, as amended by the Mining Industry (Welfare Fund) Act, 1925 (hereinafter referred to as "the miners' welfare "committee"), shall be increased by the addition of two members appointed by the Board of Trade, of whom one shall be appointed after consultation with the Miners' Federation of Great Britain, and one after consultation with such associations or bodies as may appear to the Board to represent persons liable to pay the royalties welfare levy, and the said section twenty shall have effect accordingly.

Application of royalties welfare levy.

16.—(1) The Commissioners of Inland Revenue shall, in accordance with arrangements made with the Board of Trade, from time to time pay over to the fund established under section twenty of the Mining Industry Act, 1920 (hereinafter referred to as the welfare fund), the sums collected by them in respect of the royalties welfare levy.

(2) The Board of Trade shall keep a separate account of the proceeds of the royalties welfare levy paid into the welfare fund.

(3) The miners' welfare committee shall, subject as hereinafter mentioned, apply those proceeds for any of the purposes for which the welfare fund is applicable:

Provided that no part of the proceeds of the royalties welfare levy shall be required to be allocated to any particular district.

Provision of washing and drying accommodation at coal mines.

17.—(1) It shall be the duty of the miners' welfare committee to secure as far as reasonably practicable the provision at all coal mines, to the satisfaction of the committee, of accommodation and facilities for workmen taking baths and drying clothes.

(2) The committee shall in each year appropriate out of the welfare fund for the purposes aforesaid until the

Board of Trade otherwise direct, the whole of the proceeds of the royalties welfare levy paid into the welfare fund in each financial year.

(3) Subsection (5) of section twenty of the Mining Industry Act, 1920, is hereby repealed.

Part IV.

Recruitment.

Recruitment for employment in coal mining industry.

18.—(1) The Minister of Labour may, after consultation with associations representing respectively employers and persons employed in the coal mining industry, make regulations for the purpose of securing that in the recruitment of persons over the age of eighteen years for employment to which this section applies preference is given, while this section is in force, to persons who were employed in such employment during the period of seven days ending on the thirtieth day of April, nineteen hundred and twenty-six, or when last before that date in regular employment, and in particular such regulations may impose such restrictions as may be necessary for that purpose on the engagement of persons for employment to which this section applies, and on the employment of persons engaged in contravention of the regulations, and may provide for requiring the owners, agents and managers of coal mines and persons employed in or seeking such employment to furnish the Minister of Labour with such information as he may require for the purpose of securing compliance with the regulations:

Provided that no such regulations shall impose restrictions on the engagement for employment of any person in actual receipt of a pension granted out of moneys provided by Parliament in respect of a disability arising out of his service with His Majesty's forces during the war.

(2) This section applies to any employment in or about a coal mine in the getting, handling, hauling, preparation and despatch of coal, being employment such as to make the person employed an employed person within the meaning of the Unemployment Insurance Acts, 1920 to 1925, except employment of any class which by the regulations may be excluded from the application of this section. Any question as to

whether employment is employment to which this section applies shall be determined by the Minister of Labour.

(3) If any person contravenes or fails to comply with any regulation made under this section he shall be guilty of an offence and shall, in respect of every such offence, be liable on summary conviction to a fine not exceeding ten pounds, or, in the case of a continuing offence, not exceeding five pounds for each day on which the offence continues.

(4) If for the purpose of obtaining employment either for himself or for any other person in contravention of any regulation made under this section any person knowingly makes any false statement or false representation, or if any person required under the regulations to furnish information to the Minister of Labour knowingly furnishes any false information, he shall be liable on summary conviction to imprisonment for a term not exceeding three months.

(5) All regulations made under this section shall be laid before each House of Parliament as soon as may be after they are made, and if an Address is presented to His Majesty by either House of Parliament within the next subsequent twenty days on which that House has sat next after any such regulation is laid before it, praying that the regulation may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new regulation:

56 & 57 Vict. c. 66.

Provided that section one of the Rules Publication Act, 1893, shall not apply to any regulations made under this section.

(6) This section shall continue in force until the thirty-first day of December, nineteen hundred and twenty-nine and no longer unless Parliament otherwise determines.

PART V.

COAL MINES EXCESS PAYMENTS AND COAL LEVY.

Limitation of further assessments and claims.

19.—(1) After the thirtieth day of September, nineteen hundred and twenty-six, except in a case which is an undetermined case within the meaning of this section, no assessment or additional assessment of coal mines excess payments under the agreement scheduled to the Coal Mines Control Agreement (Confirmation) Act, 1918, or of coal levy under the Coal Mines (Emergency) Acts, 1920 and 1921, shall be made; and no claim for relief from or for reduction or repayment of coal mines excess payments or of coal levy, or for a payment set-off or recovery or for amendment of any payment, set-off or recovery under the aforesaid agreement or for coal award or additional coal award under the Coal Mines (Emergency) Acts, 1920 and 1921, shall be entertained or allowed. 7 & 8 Geo. 5. c. 56. 10 Geo. 5. c. 4 and 11 Geo. 5. c. 6.

(2) At any time not later than the said thirtieth day of September the Board of Trade may in the case of any person who is or has been the owner of an undertaking within the meaning of the Coal Mines Control Agreement (Confirmation) Act, 1918, or the Coal Mines (Emergency) Act, 1920, give notice to him that they consider his liabilities and his rights under either the Coal Mines Control Agreement (Confirmation) Act, 1918, or the Coal Mines (Emergency) Acts, 1920 and 1921, or both, as being undetermined; and any person who has been assessed to coal mines excess payments or coal levy, or is entitled to make any claim under the Coal Mines Control Agreement (Confirmation) Act, 1918, or the Coal Mines (Emergency) Acts, 1920 and 1921, may give a like notice to the Board of Trade, and where such notice is given to or by any person his case shall be deemed to be an undetermined case for the purposes of this section.

(3) The Board of Trade may at any time give notice to any person whose case is an undetermined case to the effect that all questions as to his liabilities and his rights under either the Coal Mines Control Agreement (Confirmation) Act, 1918, or the Coal Mines (Emergency) Acts, 1920 and 1921, or both, have in the opinion of the Board of Trade been finally determined.

Any person aggrieved by any such notice may, at any time within thirty days from the date on which the notice is served on him, appeal against it in accordance with the provisions of subsection (5) of section forty-five of the Finance (No. 2) Act, 1915, and the provisions (other than the provisions prescribing the time within which notice of appeal may be given) of any regulation made under subsection (7) of that section, in the same 5 & 6 Geo. 5. c. 89.

manner as if he were a person dissatisfied with the amount of an assessment to Excess Profits Duty.

If, where notice has been given to a person under this subsection, that person does not appeal against the notice or the appeal is not allowed, his case shall, as from the expiration of the time within which he was entitled to appeal or as from the date on which the appeal is finally determined, as the case may be, cease to be an undetermined case within the meaning of this section, and subsection (1) of this section shall apply accordingly.

(4) Nothing in this section shall affect any powers vested in the Commissioners of Inland Revenue at the commencement of this Act for the recovery of coal mines excess payments or coal levy; or any powers vested in the Board of Trade at the commencement of this Act for the recovery of any moneys payable by the owner of an undertaking in accordance with the provisions of the aforesaid agreement, or of the Coal Mines (War Wage Payment) Directions and Supplementary Directions, 1918 and 1919, or of the Coal Mines (Emergency) Acts, 1920 and 1921.

(5) Notwithstanding anything in this section, the Commissioners of Inland Revenue may at any time make an assessment in respect of any coal mines excess payments or coal levy which appear to them not to have been assessed by reason of any fraud or wilful default on the part of the person liable to be assessed, and recover the amount chargeable on the assessment; and the Board of Trade may at any time recover any moneys payable by the owner of an undertaking under the provisions of the Acts and Directions aforesaid which appear to them not to have been recovered for a like reason; and any person aggrieved by any such assessment or recovery shall have the same right of appealing against it as he would have had if this Act had not passed.

PART VI.

MISCELLANEOUS AND GENERAL.

Power of coal-mining companies to establish

20. It shall be lawful for any company, being the owner of an undertaking consisting of or comprising coal mines, notwithstanding anything in the memorandum or articles of association of the company, to establish and carry out a scheme for securing to persons employed by the company a share in the profits of the company.

profit sharing schemes.

Establishment of joint committees for coal mines.

1 & 2 Geo. 5. c. 50.

21.—(1) If at any time after the expiration of two years from the commencement of this Act the Board of Trade are satisfied upon representation made to them as respects any coal mine (not being a small mine within the meaning of the Coal Mines Act, 1911) that no adequate opportunity has been afforded by the owner, agent and manager of the mine for the establishment of machinery for mutual discussion between representatives of the management of the mine and representatives of workers employed in or about the mine, of matters of common interest in regard to the working of the mine, the Board may by order direct that regulations made under this section shall apply to that mine.

(2) The Board of Trade may make regulations providing for the constitution of a joint committee for any mine to which the regulations apply, consisting of representatives of the owners and management of the mine and of the workers employed in or about the mine, and having such functions as may be prescribed by the regulations:

Provided that—

(*a*) such regulations shall not apply to any mine unless and until they have been applied thereto by an order made under the foregoing provisions of this section;

(*b*) no powers in relation to the control or management of a mine shall be included among the functions of any such joint committee; and

(*c*) the regulations shall provide for the selection of the representatives of workers employed in or about a mine by ballot of those workers from amongst their own number.

(3) Regulations made under this section shall provide for the procedure and meetings of joint committees and for enabling joint committees to obtain such information and to cause such inspections to be made as may be necessary for the purpose of enabling them to exercise any of their functions under the regulations; and any

persons appointed in accordance with the regulations to make such inspections shall have all such facilities for the purpose of making the inspections as persons appointed to make inspections under section sixteen of the Coal Mines Act, 1911, and that section shall apply accordingly.

(4) Subsections (2), (3), (4) and (5) of section eighty-six, and section one hundred and seventeen of the Coal Mines Act, 1911, and Part I. of the Second Schedule to that Act (which relate to orders making general regulations under that Act), shall apply with the necessary modifications to regulations under this section, and for the purposes of the said Part I. of the Second Schedule to that Act as so applied, the expression a "general objection" means an objection made by or on behalf of any association or body which satisfies the Board of Trade that it represents a substantial proportion of owners of mines or of persons employed in or about mines in Great Britain.

(5) An order under this section may be made so as to be in force either permanently or for a limited period, and may be amended or revoked by any subsequent order.

(6) In this section, except where the context otherwise requires, the expression "management" has the same meaning as in the Mining Industry Act, 1920.

Power to vary 1 & 2 Geo. 5. c. 50, ss. 9 and 10.

22.—(1) The Board of Trade may, after consultation with the Board for Mining Examinations, by order vary the provisions of sections nine and ten of the Coal Mines Act, 1911, relating to the examinations and qualifications of applicants for certificates of competency under that Act, and the grant of such certificates, in such manner as may appear to the Board of Trade to be expedient for the purpose of adapting them to the needs of the industry and the progress of education.

(2) The provisions of subsections (3) to (5) of section eighty-six, and section one hundred and seventeen of the Coal Mines Act, 1911, and of Part I. of the Second Schedule to that Act, shall apply, with the necessary modifications with respect to orders made under this section, in like manner as those provisions apply to orders made under the said section eighty-six.

Facilities to be given to Department of Scientific and Industrial Research.

23.—(1) Before any person sinks, for the purpose of searching for or getting any minerals, a shaft or borehole intended to reach a depth of more than one hundred feet below the surface, he shall give to the Committee of the Privy Council for Scientific and Industrial Research (hereinafter referred to as "the Committee") notice in writing of his intention to do so, and any person who for such a purpose sinks any such shaft or borehole shall keep a journal thereof, and shall retain for a period of not less than six months such specimens of the strata passed through as may have been obtained in the course of the sinking thereof, either as cores or fragments, and shall allow the Committee, or any officer appointed by them, to have free access at all reasonable times to any such shaft, borehole or core, to inspect and take copies of the journals of such shafts or boreholes, to inspect all specimens so obtained and kept, and to take representative specimens of any such cores.

(2) If the person sinking any such shaft or borehole as aforesaid gives notice in writing to the Committee requiring them to treat as confidential any copies of journals or specimens so taken by the Committee or by any officer appointed by them, the Committee shall not allow those copies or specimens to be published or shown to any person not being an officer of the Department of Scientific and Industrial Research, except with the consent of the person sinking such shaft or borehole:

Provided that, if at any time the Committee give notice to any person from whom such consent is required that, in their opinion, his consent is unreasonably withheld, then that person may, within three months after such notice is given, appeal to the Railway and Canal Commission, but if at the expiration of that period no such appeal has been made, or if after hearing the appeal the Commission do not make an order restraining them from doing so, the Committee may proceed as if such consent had been given.

(3) The owner, agent, or manager of every mine shall allow the Committee or any officer appointed by them to have free access at all reasonable times to all underground workings, and shall supply to the Committee or to any such officer as aforesaid such information

and such specimens of seams or strata sunk through or opened out at the mine as may be reasonably required by the Committee.

(4) If any person sinking any shaft or borehole, or the owner, agent or manager of any mine fails to comply with any obligation imposed on him by the foregoing provisions of this section, he shall, in respect of each offence, be liable on summary conviction to a fine not exceeding fifty pounds.

(5) Any officer appointed by the Committee shall have the same rights as to the production and examination of plans and sections kept in pursuance of sections twenty or twenty-one of the Coal Mines Act, 1911, or sections fourteen or nineteen of the Metalliferous Mines Regulation Act, 1872, as are by those Acts conferred on inspectors, and those Acts shall apply accordingly.

35 & 36 Vict. c. 77.

Provisions as to Railway and Canal Commission and as to security for costs.

51 & 52 Vict. c. 25.

24.—(1) The jurisdiction of the Railway and Canal Commission under this Act shall be deemed to be part of their jurisdiction under and for the purposes of the Railway and Canal Traffic Act, 1888, and section ten of the Mines (Working Facilities and Support) Act, 1923, as amended by any subsequent enactment, shall apply in respect of proceedings under this Act in like manner as it applies to the determination of questions relating to applications under that Act:

Provided that—

(*a*) the power of holding inquiries under the said section ten shall extend to the holding of inquiries other than local inquiries; and

(*b*) the Commission may refuse to allow the public to be present at any proceedings of the Commission or inquiry under this Act while matters are being dealt with which, in the opinion of the Commission, are of a confidential character.

(2) The Lord Chancellor, or in Scotland the Lord President of the Court of Session, may attach to the Commission for the purposes of Part I. of this Act, any officers of the Supreme Court or the Court of Session, and such officers shall perform such duties as may be assigned to them by the Commission with the consent of the Lord Chancellor or the Lord President of the Court of Session.

(3) If it is proved to the satisfaction of the Railway and Canal Commission that there is good cause for requiring any person who has submitted a scheme under Part I. of this Act, or who has made an application for the grant of a right under Part II. of this Act, to give security for any costs which may be ordered to be paid by him to any person affected by the scheme or application, the Commission shall have power to make an order that all proceedings upon the scheme or application, as the case may be, shall be stayed until such security for the costs of that person as may be required by the order has been given to the satisfaction of the Commission, and may order the payment into court of the whole or any part of any sum so required to be paid by way of such security. The provisions of subsections (2) and (3) of section one of the Mines (Working Facilities and Support) Act, 1925, shall apply to any money required to be paid into court under this subsection but, subject to those provisions, the rules regulating the procedure of the Commission may provide as to the manner in which any such security is to be given and as to the return of any such security.

15 & 16 Geo. 5. c. 91.

Definition of securities.

25. For the purposes of Part I. of this Act the expression "securities" includes stocks and shares, and the expression "debentures" includes debenture stock.

Short title and extent.

26.—(1) This Act may be cited as the Mining Industry Act, 1926.

(2) This Act shall not extend to Northern Ireland.

SCHEDULE.

Section 14.

Provisions of the Finance (1909–10) Act, 1910 applied.

20.—(3) Every proprietor of any coal and every person to whom any rent is paid in respect of any right to work coal or of any mineral wayleave in connection with coal shall, upon notice being given to him by the Commissioners of Inland Revenue requiring him to give particulars as to the amount received by him in respect of the right or wayleave, as the case may be, and where the proprietor is working the coal, particulars as to the coal worked, make a return in the form required by the notice, and within the time, not being less than thirty days, specified in the notice, and in default shall be liable to a penalty not exceeding fifty pounds to be recovered in the High Court.

(4) Royalties welfare levy shall be assessed by the Commissioners of Inland Revenue and shall be payable at any time after the first day of January in the year for which the levy is charged, and any such levy for the time being unpaid shall be recoverable as a debt due to His Majesty from the proprietor of the coal where the proprietor is working the coal, and in any other case from the immediate lessor of the working lessee. As between the immediate lessor and the working lessee, the levy shall be borne by the immediate lessor, notwithstanding any contract to the contrary, whether made before or after the passing of this Act.

21.—(1) Any immediate lessor who under this Act pays any royalties welfare levy, and is himself a lessee of the right to work the coal or of the wayleave in respect of which the levy is paid, shall be entitled to deduct from the rent paid by him in respect of the right to work the coal or the wayleave, as the case may be, to his lessor a sum equal to the royalties welfare levy on a rental value of the same amount as the rent payable; and any person from whose rent any such deduction is made may make a similar deduction from any rent paid by him in respect of the right to work the coal or in respect of the wayleave, as the case may be.

(2) Any person in receipt of rent from which a deduction may be made under this paragraph shall allow the deduction, and the person making the deduction shall be discharged from the payment of an amount of rent equal to the amount deducted, and any contract for the payment of rent without allowing such a deduction shall be void.

(3) If any person refuses to allow a deduction which he is required to allow under this section, he shall be liable to a penalty not exceeding fifty pounds to be recovered in the High Court.

(4) Where in any special case royalties welfare levy has been charged on a rental value based on a rent which has been substituted under the provisions for determining rental value applied by this Act for the rent actually payable by the working lessee, the Commissioners of Inland Revenue shall, on the application of any lessor from whose rent a deduction may be made in respect of royalties welfare levy, make a corresponding substitution or reduction as regards that rent, if they consider that the grounds for the substitution or reduction, as the case may be, are applicable in the case of the rent with respect to which the application is made.

CHAPTER 29.

Amended by the Adoption of Children (Workmens Compen-
sation) Act 1934 (c. 34

An Act to make provision for the adoption of infants.

[4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power to make adoption orders.

1.—(1) Upon an application in the prescribed manner by any person desirous of being authorised to adopt an infant who has never been married, the Court may, subject to the provisions of this Act, make an order (in this Act referred to as "an adoption order") authorising the applicant to adopt that infant.

(2) A person so authorised to adopt the infant and an infant authorised to be adopted are in this Act referred to as an "adopter" and an "adopted child" respectively, and "infant" means a person under the age of twenty-one.

(3) Where an application for an adoption order is made by two spouses jointly, the Court may make the order authorising the two spouses jointly to adopt, but save as aforesaid no adoption order shall be made authorising more than one person to adopt an infant.

Restrictions on making adoption orders.

2.—(1) An adoption order shall not be made in any case where—

(*a*) the applicant is under the age of twenty-five years, or

(*b*) the applicant is less than twenty-one years older than the infant in respect of whom the application is made:

In re C. 1938
1 Ch. 121.

Provided that, where the applicant and the infant are within the prohibited degrees of consanguinity, it shall be lawful for the court, if it thinks fit, to make the order notwithstanding that the applicant is less than twenty-one years older than the infant.

(2) An adoption order shall not be made in any case where the sole applicant is a male and the infant in respect of whom the application is made is a female unless the Court is satisfied that there are special circumstances which justify as an exceptional measure the making of an adoption order.

(3) An adoption order shall not be made except with the consent of every person or body who is a parent or guardian of the infant in respect of whom the application is made or who has the actual custody of the infant or who is liable to contribute to the support of the infant:

Provided that the Court may dispense with any consent required by this subsection if satisfied that the person whose consent is to be dispensed with has abandoned or deserted the infant or cannot be found or is incapable of giving such consent or, being a person liable to contribute to the support of the infant, either has persistently neglected or refused to contribute to such support or is a person whose consent ought, in the opinion of the court and in all the circumstances of the case, to be dispensed with.

(4) An adoption order shall not be made upon the application of one of two spouses without the consent of the other of them:

Provided that the court may dispense with any consent required by this subsection if satisfied that the person whose consent is to be dispensed with cannot be found or is incapable of giving such consent or that the spouses have separated and are living apart and that the separation is likely to be permanent.

(5) An adoption order shall not be made in favour of any applicant who is not resident and domiciled in England or Wales or in respect of any infant who (s not a British subject and so resident.

Matters with respect to which Court to be satisfied.

3. The Court before making an adoption order shall be satisfied—

(*a*) that every person whose consent is necessary under this Act and whose consent is not dispensed with has consented to and understands the nature and effect of the adoption order for which application is made, and in particular in the case of any parent understands that the effect of the adoption order will be permanently to deprive him or her of his or her parental rights; and

(*b*) that the order if made will be for the welfare of the infant, due consideration being for this purpose given to the wishes of the infant, having regard to the age and understanding of the infant; and

(*c*) that the applicant has not received or agreed to receive, and that no person has made or given, or agreed to make or give to the applicant, any payment or other reward in consideration of the adoption except such as the court may sanction.

Terms and condition of order.

4. The Court in an adoption order may impose such terms and conditions as the Court may think fit and in particular may require the adopter by bond or otherwise to make for the adopted child such provision (if any) as in the opinion of the Court is just and expedient.

Effect of adoption order.

5.—(1) Upon an adoption order being made, all rights, duties, obligations and liabilities of the parent or parents, guardian or guardians of the adopted child, in relation to the future custody, maintenance and education of the adopted child, including all rights to appoint a guardian or to consent or give notice of dissent to marriage shall be extinguished, and all such rights, duties, obligations and liabilities shall vest in and be exercisable by and enforceable against the adopter as though the adopted child was a child born to the adopter in lawful wedlock, and in respect of the same matters and in respect of the liability of a child to maintain its parents the adopted child shall stand to the adopter exclusively in the position of a child born to the adopter in lawful wedlock:

Provided that, in any case where two spouses are the adopters, such spouses shall in respect of the matters aforesaid and for the purpose of the jurisdiction of any court to make orders as to the custody and maintenance of and right of access to children stand to each other and to the adopted child in the same relation as they would have stood if they had been the lawful father and mother of the adopted child, and the adopted child shall stand to them respectively in the same relation as a child would have stood to a lawful father and mother respectively.

(2) An adoption order shall not deprive the adopted child of any right to or interest in property to which, but for the order, the child would have been entitled under any intestacy or disposition, whether occurring or made before or after the making of the adoption order, or confer on the adopted child any right to or interest in property as a child of the adopter, and the expressions "child," "children" and "issue" where used in any disposition whether made before or after the making of an adoption order, shall not, unless the contrary intention appears, include an adopted child or children or the issue of an adopted child.

(3) Where an adopted child or the spouse or issue of an adopted child takes any interest in real or personal property under a disposition by the adopter, or where an adopter takes any interest in real or personal property under a disposition by an adopted child or the spouse or issue of an adopted child, any succession, legacy or other duty which becomes leviable in respect thereof shall be payable at the same rate as if the adopted child had been a child born to the adopter in lawful wedlock.

(4) For the purposes of this section "disposition" means an assurance of any interest in property by any instrument whether inter vivos or by will including codicil.

(5) For the purposes of the enactments relating to friendly societies, collecting societies and industrial assurance companies, which enable such societies and companies to insure money to be paid for funeral expenses, and which restrict the persons to whom money may be paid on the death of a child under the age of ten, the adopter shall be deemed to be the parent of the child; and where before the adoption order was made any such insurance had been effected by the natural parent of the child, the rights and liabilities under the policy shall by virtue of the adoption order be transferred to the adopter, and the adopter shall, for the purposes of the said enactments, be treated as the person who took out the policy.

Power to make interim orders.

6.—(1) Upon any application for an adoption order, the Court may postpone the determination of the application and may make an interim order (which shall not be an adoption order for the purposes of this Act) giving the custody of the infant to the applicant for a period not exceeding two years by way of a probationary period upon such terms as regards provision for the maintenance and education and supervision of the welfare of the infant and otherwise as the Court may think fit.

(2) All such consents as are required to an adoption order shall be necessary to an interim order but subject to a like power on the part of the Court to dispense with any such consent.

Power to make subsequent order in respect of infant already subject to an order.

7. An adoption order or an interim order may be made in respect of an infant who has already been the subject of an adoption order, and, upon any application for such further adoption order, the adopter or adopters under the adoption order last previously made shall, if living, be deemed to be the parent or parents of the infant for all the purposes of this Act.

Jurisdiction and procedure.

8.—(1) The Court having jurisdiction to make adoption orders under this Act shall be the High Court or, at the option of the applicant, but subject to any rules under this section, any county court or any Court of summary jurisdiction within the jurisdiction of which either the applicant or the infant resides at the date of the application for the adoption order.

See 1927 W. N. 8

(2) Rules in regard to any matter to be prescribed under this Act and directing the manner in which applications to the Court are to be made and dealing generally with all matters of procedure and incidental matters arising out of this Act and for carrying this Act into effect shall be made by the Lord Chancellor.

Such rules may provide for applications for adoption orders being heard and determined otherwise than in open Court, and where the application is made to a court of summary jurisdiction, for the hearing and determination thereof in a juvenile court as defined by the Children Act, 1908.

8 Edw. 7. c. 67.

(3) For the purpose of any application under this Act and subject to any rules under this section, the

Court shall appoint some person or body to act as guardian ad litem of the infant upon the hearing of the application with the duty of safeguarding the interests of the infant before the Court, and where the body so appointed is a local authority the Court may authorise the authority to incur any necessary expenditure, and may direct out of which fund or rate such expenditure is to be defrayed, but nothing in this section shall be deemed to authorise the Court to appoint a local authority to act as guardian ad litem of an infant except with the consent of that authority.

Restriction on payments.

9. It shall not be lawful for any adopter or for any parent or guardian except with the sanction of the Court to receive any payment or other reward in consideration of the adoption of any infant under this Act or for any person to make or give or agree to make or give to any adopter or to any parent or guardian any such payment or reward.

Provisions as to existing de facto adoptions.

10. Where at the date of the commencement of this Act any infant is in the custody of, and being brought up, maintained and educated by any person or two spouses jointly as his, her or their own child under any de facto adoption, and has for a period of not less than two years before such commencement been in such custody, and been so brought up, maintained and educated, the Court may, upon the application of such person or spouses, and notwithstanding that the applicant is a male and the infant a female, make an adoption order authorising him, her or them to adopt the infant without requiring the consent of any parent or guardian of the infant to be obtained, upon being satisfied that in all the circumstances of the case it is just and equitable and for the welfare of the infant that no such consent should be required and that an adoption order should be made.

Adopted children register.

11.—(1) The Registrar-General shall establish and maintain at the General Register Office a register to be called the Adopted Children Register, in which shall be made such entries as may be directed to be made therein by adoption orders, but no other entries.

(2) Every adoption order shall contain a direction to the Registrar-General to make in the Adopted Children

Register an entry recording the adoption in the form set out in the Schedule hereto.

(3) If upon any application for an adoption order there is proved to the satisfaction of the Court—

(*a*) the date of the birth of the infant; and

(*b*) the identity of the infant with a child to which any entry or entries in the Registers of Births relates;

the adoption order shall contain a further direction to the Registrar-General to cause such birth, entry or entries in the Registers of Birth, to be marked with the word "Adopted," and to include in the entry in the adoption register recording the adoption the date stated in the order of the adopted child's birth in the manner indicated in the Schedule hereto.

(4) The prescribed officer of the Court shall cause every adoption order to be communicated in the prescribed manner to the Registrar-General, and upon receipt of such communication the Registrar-General shall cause compliance to be made with the directions contained in such order in regard both to marking any entry in the Registers of Birth with the word "Adopted," and in regard to making the appropriate entry in the Adopted Children Register.

(5) A certified copy of any entry in the Adopted Children Register if purporting to be sealed or stamped with the seal of the General Register Office shall, without any further or other proof of such entry—

(*a*) where the entry does not contain any record of the date of the birth of the adopted child be received as evidence of the adoption to which the same relates; and

(*b*) where the entry contains a record of the date of the birth of the adopted child shall be received not only as evidence of the adoption to which the same relates but also as evidence of the date of the birth of the adopted child to which the same relates in all respects as though the same were a certified copy of an entry in the Registers of Births.

(6) The Registrar-General shall cause an index of the Adopted Children Register to be made and kept in

the General Register Office, and every person shall be entitled to search such index and to have a certified copy of any entry in the Adopted Children Register in all respects upon, and subject to the same terms, conditions and regulations as to payment of fees and otherwise as are applicable under the Births and Deaths Registration Acts, 1836 to 1901, in respect of searches in other indexes kept in the General Register Office, and in respect of the supply from such office of certified copies of entries in the certified copies of the Registers of Births, Deaths and Marriages.

(7) The Registrar-General shall, in addition to the Adopted Children Register and the index thereof, keep such other registers and books, and make such entries therein as may be necessary, to record and make traceable the connexion between any entry in the register of births which has been marked "Adopted" pursuant to this Act and any corresponding entry in the Adopted Children Register, but such last-mentioned registers and books shall not be nor shall any index thereof be open to public inspection or search, nor, except under an order of a court of competent jurisdiction, shall the Registrar-General furnish any person with any information contained in or with any copy or extract from any such registers or books.

(8) Regulations made by the Registrar-General under the Births and Deaths Registration Acts, 1836 to 1901, may make provision as to the duties to be performed by Superintendent Registrars and Registrars of Births and Deaths in the execution of this Act.

Short title, commencement and extent.

12.—(1) This Act may be cited as the Adoption of Children Act, 1926.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-seven.

(3) This Act shall not apply to Scotland or Northern Ireland.

SCHEDULE.

Section 11.

1.	2.	3.	4.	5.	6.	7.	8.
No. of Entry.	Date of Entry.	Name of Adopted Child. (Enter Name as stated in Adoption Order.)	Sex of Adopted Child. (Enter Sex as stated in Adoption Order.)	Name and Surname, Address and Occupation of Adopter or Adopters. (Enter name, address and Occupation as stated in Adoption Order.)	Date of Birth of Child. (Enter date of Birth (if any) directed by the Adoption Order to be entered, but otherwise no entry.)	Date of Adoption Order and Description of Court by which made. (Entry to be made as appearing in the Adoption Order).	Signature of Officer deputed by Registrar-General to attest the Entry.

CHAPTER 30.

An Act to facilitate the burning of heather in Scotland and to extend the period in which this can be done. [4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Prohibition of muirburn at certain times.

1.—(1) It shall not be lawful to make muirburn or set fire to any heath or muir except before the sixteenth day of April or after the thirtieth day of September in any year: Provided that—

(*a*) It shall be lawful for the proprietor of any lands, or for the tenant with the written authority of the proprietor or of his factor or commissioner, to make muirburn or burn the heath thereon at any time during the period from the sixteenth day to the thirtieth day of April, both days inclusive; and

(*b*) Where the proprietor of any lands or his factor or commissioner has refused or has failed to give such written authority within seven days after written application therefor has been made to him by the tenant of such lands, being a tenant who is entitled under the provisions of his lease or by virtue of an order made in pursuance of the immediately succeeding section of this Act to make muirburn or burn the heath on such lands, the tenant may, after giving to the proprietor or his factor or commissioner written notice of his intention to do so, make application to the Board of Agriculture for Scotland (hereafter in this Act referred to as the Board) and the Board may on such application, if they are satisfied that it is expedient to do so, by order authorise the tenant to make muirburn or burn the heath on such lands during the whole or part of the period last mentioned in the year to which the order relates, in accordance with the conditions contained in the lease or in the order under the immediately succeeding section as the case may be. A copy of any such order shall be sent by the Board to the proprietor or his factor or commissioner.

(2) In the case of a deer forest more than fifteen hundred feet above sea level, the foregoing subsection shall have effect as if the fifteenth day of May were substituted for the thirtieth day of April.

Regulation of muirburn by Board of Agriculture for Scotland.

2.—(1) Where the tenant of any lands is precluded by the terms of his lease or otherwise from making muirburn or burning the heath thereon in such manner or to such extent as to him seems necessary or expedient, he may, after giving to the proprietor or his factor or commissioner two weeks notice in writing of his intention to do so, make application to the Board for an order regulating muirburn on such lands.

(2) On any application under the foregoing subsection, if the Board, after such inquiry as they think fit and after considering any representations by the parties interested which may be lodged with the Board within a period fixed by them (including any representations as to the manner in which and the extent to which muirburn or the burning of the heath has been or is being carried out by the proprietor) are satisfied that it is expedient to do so, the Board may make an order regulating muirburn or the burning of the heath on such lands. Any such order may specify the lands on which, and shall prescribe the conditions subject to which, muirburn may be made or the heath may be burnt in any year during the currency of the lease:

Provided always that such order shall not authorise any muirburn or burning of the heath at any time when such burning by the tenant would be in contravention of section one of this Act. A copy of any such order shall be sent by the Board to the proprietor or his factor or commissioner. In making any such order the Board shall have regard to—

(*a*) the interests of the proprietor, of the tenant and of any other person whom they may deem to have an interest; and

(*b*) the protection of woodlands and plantations.

When any such order shall have been made the tenant shall be entitled to make muirburn or burn the heath in accordance therewith, notwithstanding anything to the contrary in the terms of the lease or tenancy. In the event of the tenant contravening the order or failing to comply with any of the conditions thereof, the Board shall have power to rescind the order.

Offences.

3. Any person who makes muirburn or sets fire to or burns the heath or causes or procures the making of muirburn, or the setting fire to or burning of the heath on any lands in contravention of section one of this Act shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds or to imprisonment for any period not exceeding thirty days, and in the case of a second or subsequent offence to a fine not exceeding twenty pounds or to imprisonment for any period not exceeding three months.

Repeal. 13 Geo. 3. c. 54.

4. Sections four, five, six and seven of the Game (Scotland) Act, 1772, are hereby repealed.

Construction, short title and extent.

5.—(1) In this Act the expression "tenant" means a tenant for agricultural or pastoral purposes and in the case of a common grazing includes the committee appointed under the Small Landholders (Scotland) Acts, 1886 to 1919, and the expression "lease" in relation to such common grazing includes regulations made or approved by the Land Court under the said Acts.

(2) This Act may be cited as the Heather Burning (Scotland) Act, 1926, and shall extend to Scotland only.

CHAPTER 31.

An Act to amend the law as regards music and dancing licences in parts of certain Home Counties and in certain county boroughs adjacent thereto. [4th August 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Short title, application and commencement.

1. This Act may be cited as the Home Counties (Music and Dancing) Licensing Act, 1926, and shall apply within the areas set out in the First Schedule to this Act (in this Act referred to as the "scheduled areas"), and shall come into operation on the first day of January, one thousand nine hundred and twenty-eight.

Definition.

2. For the purposes of this Act, the expressions "county" and "county borough" mean respectively the administrative county or county borough in which the premises requiring a licence are situate, and the expression "council" means the council of such county or county borough, and the expression "licence" means a licence granted under this Act, and the expression "licensed" shall be construed accordingly.

Grant and conditions of licences.

3.—(1) After the commencement of this Act, a place within the scheduled areas shall not be kept for the purposes of public dancing, singing, music, or any other public entertainment of the like kind (in this Act referred to as "entertainment purposes") without a licence.

(2) The council may grant licences for any period, not exceeding thirteen months, to such persons as they think fit to keep or use places for entertainment purposes on such terms and conditions and subject to such restrictions as they think fit.

(3) The council may, if they think fit, make regulations prescribing generally the terms, conditions and restrictions on and subject to which licences are to be granted, and, where any such regulations are in force, every licence shall (without prejudice to the power of the council to grant a licence on and subject to any special terms,

conditions or restrictions) be deemed to be granted subject to the regulations.

Primâ facie evidence of any regulations so made may be given in any legal proceedings by the production of a copy purporting to be certified to be a true copy by the clerk or some other officer of the council authorised to give a certificate for the purposes of this provision, and no proof shall be required of the handwriting or official position or authority of any person giving such a certificate.

(4) The council may transfer any licence to any person whom they think fit.

(5) There shall on the grant of a licence be paid by the person applying therefor such fee, not exceeding twenty shillings, or in the case of a licence granted for the sole purpose of a charitable entertainment not exceeding five shillings, as the council may determine, and on the transfer of a licence such fee, not exceeding five shillings, as the council may determine.

(6) Save as hereinafter provided, no licence or transfer shall be granted unless the applicant has given twenty-one days' notice to the clerk of the council and to the superintendent of police, or to the chief constable of the borough, as the case may be, in which the place is situated of his intention to apply for the licence or transfer, and has for twenty-one days kept a copy of the notice posted in a conspicuous position on the exterior of the place to which the application relates, and on the consideration of the application by the council the police and any person living in the neighbourhood of the place whom the council deem to be concerned shall be entitled to be heard:

Provided that—

(*a*) the provisions of this subsection as to notice shall not apply in the case of an application by any person for the grant of a licence in respect of any place by way of renewal, on the same terms and conditions, of a licence held at the date of the application by that person in respect of that place; and

(*b*) a licence for a period not exceeding fourteen days may be granted notwithstanding that the provisions of this subsection as to notice to the clerk of the council have not been complied with, and in the case of an application for such a licence the notice required to be given to the superintendent of police or the chief constable, as the case may be, shall be seven instead of twenty-one days.

(7) If any place is kept for entertainment purposes without a licence, the person so keeping the place and, unless he proves to the satisfaction of the court that the place is so kept without his consent or connivance, any person occupying or rated as occupier of the place shall be liable on summary conviction to a penalty not exceeding five pounds for every day on which the place is so kept.

(8) Except where the period for which the licence is in force does not exceed fourteen days, there shall be affixed and kept affixed in some conspicuous place, and so as to be easily legible, on or immediately over and on the outer side of the main entrance of every licensed place the words "Licensed in pursuance of Act of Parliament for . . . ," with the addition of words showing the purpose for which the place is licensed.

(9) A place notwithstanding that it is licensed shall not, except with the written permission of the council, be used for entertainment purposes at any time during the period beginning at midnight and ending at midday:

Provided that, if on any special occasion a special order of exemption has been granted under section fifty-seven of the Licensing (Consolidation) Act, 1910, in respect of any licensed place, no penalty shall be incurred on account of that place being used for any of the purposes aforesaid on that occasion from midnight until the hour specified in the special order of exemption as the hour for closing. 10 Edw. 7. c. 24.

(10) The affixing and keeping affixed of such an inscription as aforesaid, and the observance of the days and hours of opening and closing, shall be made a condition of every licence.

(11) If the holder of a licence acts in contravention of or fails to comply with any term, condition or restriction on or subject to which the licence was granted, he shall be liable on summary conviction to a penalty not exceeding twenty pounds, and in the case of a continuing

offence to a daily penalty not exceeding five pounds for each day on which the contravention continues after conviction therefor, and the licence of any person so convicted may be revoked by the council.

(12) Any constable authorised in that behalf by a warrant granted by a justice of the peace may enter any place in respect of which he has reason to suspect that an offence under this Act is being committed.

25 Geo. 2. c. 36.

(13) Section eight of the Disorderly Houses Act, 1751, (which provides that any persons appearing as masters of, or having the care of, certain places are to be deemed to be the keepers thereof), shall apply, for the purposes of proceedings under this Act, as it applies for the purposes of proceedings under that Act.

(14) Any sums received on account of fees under this section shall be carried to the credit of the county fund or borough fund, as the case may be:

Provided that, where any sums are so received by the council of an urban district acting in the exercise of powers delegated to the council under this Act, those sums shall be carried to the district fund.

Power to delegate.

4.—(1) A council may delegate all or any of its powers under this Act to a committee consisting wholly or partly of members of the council.

(2) A council being the council of a county may also delegate all or any of its powers under this Act, other than the power to make regulations, to the council of an urban district having a population, according to the last census, for the time being of not less than twenty thousand, so far as relates to places within that district.

Savings.

5. Nothing in this Act shall exempt any person or place from the provisions of any other enactment requiring the licensing for any purposes of that person or place or shall apply to any entertainment provided by a local authority in a park, garden or other place in the control of the local authority, or in any building thereon.

Repeal.

6.—(1) The enactments mentioned in the Second Schedule to this Act, so far as they apply to the scheduled areas, are hereby repealed to the extent mentioned in the third column of that Schedule.

(2) Nothing in this section shall affect the validity of any licence granted in respect of any place within the scheduled areas under any enactment repealed by this Act, and any such licence shall have effect as if it had been duly granted under this Act, and shall, subject to the provisions of this Act, continue in force until the expiration of the period for which it was granted.

SCHEDULES.

FIRST SCHEDULE.

Section 1.

So much of the administrative counties of—

Buckinghamshire,
Essex,
Hertfordshire,
Kent,

as lies within 20 miles of the City of London or the City of Westminster whichever may be the nearer to them.

The county boroughs of—

Croydon,
East Ham,
West Ham.

SECOND SCHEDULE.

Section 6.

Session and Chapter.	Enactment repealed.	Extent of repeal.
25 Geo. II., c. 36.	The Disorderly Houses Act, 1751.	Sections two and three.
38 & 39 Vict., c. 21.	The Public Entertainments Act, 1875.	The whole Act.
10 & 11 Geo.5. c. clv.	The Erith Improvement Act, 1920.	Section eighty-one.

CHAPTER 32.

An Act to amend the Midwives Acts, 1902 and 1918, and to provide for the registration and inspection of maternity homes, and for purposes connected therewith. [4th August 1926.]

Be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Part I.

Amendment of the Midwives Acts, 1902 and 1918.

Amendment of s. 1 (2) of Midwives Act, 1902. 2 Edw. 7. c. 17.

1. The following subsection shall be substituted for subsection (2) of section one of the Midwives Act, 1902, (which relates to certification of midwives):—

> "(2) If any person, being either a male person, or a woman not certified under this Act, attends a woman in childbirth otherwise than under the direction and personal supervision of a duly qualified medical practitioner, that person shall, unless he or she satisfies the court that the attention was given in a case of sudden or urgent necessity, be liable on summary conviction to a fine not exceeding ten pounds:
>
> "Provided that the provisions of this subsection shall not apply in the case of a person who, while undergoing training with a view to becoming a duly qualified medical practitioner or a certified midwife, attends a woman in childbirth as part of a course of practical instruction in midwifery recognised by the General Medical Council or by the Central Midwives Board."

Amendments of Midwives Act, 1918.

2.—(1) Where a midwife has been suspended from practice in order to prevent the spread of infection she shall, if she was not herself in default, be entitled to recover from the local supervising authority such amount by way of compensation for loss of practice as is reasonable in the circumstances of the case.

In subsection (2) of section six of the Midwives Act, 1918, the words from " or where " to " infection " shall be repealed.

8 & 9 Geo. 5. c. 43.

(2) Subsection (2) of section fourteen of the Midwives Act, 1918 (which imposes a condition on the payment of a fee to a medical practitioner called in to assist a midwife in case of emergency), shall have effect as though at the end thereof there were added the words " and shall submit his claim within two months from " the date on which he was called in."

(3) Subject to the sanction of the Minister of Health, a local supervising authority may make arrangements with any pregnant women in their area for the payment by such women to the authority, whether by instalments or not, of such sum as may be agreed to cover any liability which the authority may incur under section fourteen of the Midwives Act, 1918, in respect of fees payable to medical practitioners who may be called in by midwives in pursuance of that section, and subsection (4) of that section shall not apply in the case of any woman who has entered into such an arrangement and has duly paid the agreed sum.

Provision as to midwives' roll.

3.—(1) The Central Midwives Board may, if they think fit, cause the roll of midwives to be divided into two parts, of which one shall contain the names of all those practising midwives whose names have been supplied to the Board by local supervising authorities in the month of January in each year, in accordance with the provisions of section eight of the Midwives Act, 1902, and shall be published annually, and the other shall contain the names of all other persons who are entitled to be on the roll, and shall be published at such intervals, not exceeding five years, as the Minister of Health may approve.

(2) The Central Midwives Board may from time to time by registered letter addressed to any woman whose name is included in the roll of midwives at her address as appearing therein, inquire of her whether she has ceased practice or has changed her residence; and if within a period of six months from the sending of such a letter no answer is received thereto, the Board may erase the name of that person from the roll and may cancel her certificate, but without prejudice to the

power of the Board subsequently to restore the name to the roll and to re-issue the certificate if it appears proper so to do.

Regulations as to badges.

4. The power of the Central Midwives Board to frame rules under section three of the Midwives Act, 1902, shall include a power to frame a rule as to the wearing of badges by certified midwives, and if any such rule is made, subsection (1) of section one of that Act shall have effect as if the words "or badge," were inserted therein after the word "description."

Subsection (2) of section eight of the Midwives Act, 1918 (which provides for the surrender by a midwife of her certificate when her name is removed from the roll in certain circumstances), shall apply to any badge issued to any person by virtue of the provisions of this section as it applies to the certificate of a midwife.

PART II.

REGISTRATION OF MATERNITY HOMES.

Registration.

5.—(1) Any person who on or after the appointed day carries on a maternity home within the meaning of this Act shall, unless that person is registered in respect of that home, be liable on conviction to a fine not exceeding fifty pounds or, in the case of a second or subsequent offence to imprisonment not exceeding three months either in lieu of or in addition to any such fine.

(2) Application for registration shall be made to the local supervising authority in writing in the form prescribed by the Minister of Health, and shall be accompanied by a fee of five shillings.

All fees received by a local supervising authority under this section shall be paid into the county fund or the borough fund as the case may be.

(3) Subject as hereinafter provided, the local supervising authority on the receipt of an application for registration shall register the applicant in respect of the maternity home named in the application:

Provided that the authority may refuse to register the applicant if they are satisfied—

(*a*) that the applicant or any person employed by the applicant at the home is not a fit person, whether by reason of age or otherwise, to carry on or to be employed at a maternity home; or

(*b*) that for reasons connected with situation, construction, accommodation, staffing or equipment, the home or any premises used in connection therewith are not fit to be used for a maternity home, or that the home or the premises are used or to be used for purposes which are in any way improper or undesirable in the case of a maternity home.

Cancellation of registration.

6. Subject as hereinafter provided, a local supervising authority may at any time cancel the registration of any person or home for any reason which would entitle them to refuse an application for registration, or by reason of a conviction for an offence against this Part of this Act in respect of that person or home.

Notice of refusal or cancellation of registration.

7.—(1) Before making an order refusing an application for registration or cancelling any registration the local supervising authority shall give to the applicant or to the person registered, as the case may be, not less than fourteen days notice of their intention to make such an order setting out the reasons why they intend to make the order, and giving the applicant or person notice that if, within fourteen days of the receipt of the notice he informs the authority in writing of his desire so to do, the authority will give him or his representative an opportunity before the order is made of showing cause why the order should not be made.

(2) If after giving any such person or his representative an opportunity of being heard the authority decide to refuse the application for registration or to cancel the registration, they shall make an order to that effect and shall send a copy of the order to that person.

(3) Such an order shall not come into force until the expiration of fourteen days from the date on which the order was made, or, where notice of appeal has been given against the order, until the appeal has been decided or withdrawn.

(4) Any person aggrieved by an order made under this section may appeal against the order to a court of summary jurisdiction within fourteen days after the date on which the order was made, and the appellant or

the local supervising authority, if aggrieved by the order made by the court of summary jurisdiction on any such appeal, may appeal against the order to a court of quarter sessions in manner prescribed by the Summary Jurisdiction Acts.

Byelaws.

8.—(1) The local supervising authority may make byelaws—

(*a*) with respect to records to be kept of patients received into and children born in a maternity home, and of children so born who are removed from the home otherwise than to the custody or care of any parent, guardian, or relative;

(*b*) as to notification of any death and the cause thereof occurring in a maternity home.

38 & 39 Vict. c. 55.

(2) The provisions of sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, shall, so far as they relate to byelaws made by an urban sanitary authority, apply to byelaws made under this section.

(3) In every maternity home there shall on and after the appointed day be exhibited in a conspicuous place the certificate of registration relating to the home.

Inspection of maternity homes.

9.—(1) An officer duly authorised by the local supervising authority may, subject to such regulations as may be made by the authority, at all reasonable times enter and inspect any premises which are used, or which that officer has reasonable cause to believe to be used, for the purposes of a maternity home, and to inspect any records required to be kept in accordance with the provisions of this Part of this Act.

(2) If any person refuses to allow any such officer to enter or inspect the premises, or obstructs any such officer in the execution of his duty under this section, he shall be guilty of an offence against this Part of this Act, and shall be liable, on summary conviction, to a fine not exceeding five pounds, together with, in the case of a continuing offence, a fine not exceeding two pounds in respect of each day on which the offence continues after the date of conviction.

10. Where a person convicted of an offence against this Part of this Act is a company, the chairman and every director and every officer concerned in the management of the company shall be guilty of the like offence, unless he proves that the act constituting the offence took place without his knowledge or consent.

Offences by companies.

11.—(1) A local supervising authority may grant exemption from the operation of this Part of this Act in respect of—

Power to exempt certain institutions from Part II.

(*a*) any hospital or other premises for the conduct of which a duly qualified medical practitioner resident therein is responsible; or

(*b*) any hospital or institution not carried on for profit and not used mainly as a maternity home.

(2) A local supervising authority may at any time withdraw an exemption granted by it under this section.

(3) Any person who is aggrieved by the refusal of a local supervising authority to grant exemption under this section in respect of any hospital, premises or institution, or by the withdrawal of any such exemption previously granted by the authority, may appeal against the refusal or withdrawal to the Minister of Health, and the Minister, after considering the matter, shall give such directions therein as he thinks proper, and the authority shall comply with any directions so given.

PART III.

GENERAL.

12. In this Act unless the context otherwise requires:—

Interpretation.

The expressions "register" and "registration" mean register and registration under Part II. of this Act;

The expression "appointed day" means the first day of January nineteen hundred and twenty-seven;

The expression "maternity home" means any premises used or intended to be used for the reception of pregnant women or of women immediately after childbirth, but shall not include any hospital or other premises maintained or controlled by a Government Department or local authority, or by any other body of persons constituted by special Act of Parliament or incorporated by Royal Charter;

The expression "offence against this Part of this Act" includes an offence against any byelaws made under Part II. of this Act.

Repeal.

13 Geo. 3. c. 82.

13. As from the passing of this Act it shall not be necessary to obtain a licence for the establishment of a lying-in hospital in accordance with the provisions of the Lying-in Hospitals Act, 1773, and accordingly sections one, two and four of that Act are hereby repealed:

Provided that nothing in this repeal shall affect any provisions of that Act relating to the law with respect to settlement.

Short title, construction, extent and saving.

14.—(1) This Act may be cited as the Midwives and Maternity Homes Act, 1926, and shall be construed as one with the Midwives Acts, 1902 and 1918, and those Acts and this Act may be cited together as the Midwives and Maternity Homes Acts, 1902 to 1926.

(2) This Act shall not apply to Scotland or Northern Ireland.

(3) Nothing in this Act shall affect the provisions of any local Act.

CHAPTER 33.

An Act to apply a sum out of the Consolidated Fund to the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, and to appropriate the further Supplies granted in this Session of Parliament. [22nd November 1926.]

Most Gracious Sovereign,

WE, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, towards making good the supply which we have cheerfully granted to Your Majesty in this session of Parliament, have resolved to grant unto Your Majesty the sum hereinafter mentioned; and do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

GRANT OUT OF CONSOLIDATED FUND.

Issue of £3,545,000 out of the Consolidated Fund.

1. The Treasury may issue out of the Consolidated Fund of the United Kingdom, and apply towards making good the supply granted to His Majesty for the service of the year ending on the thirty-first day of March, one thousand nine hundred and twenty-seven, the sum of three million five hundred and forty-five thousand pounds.

Power for the Treasury to borrow.

2.—(1) The Treasury may borrow from any person, by the issue of Treasury Bills or otherwise, and the Bank of England and the Bank of Ireland may advance to the Treasury on the credit of the said sum, any sum or sums not exceeding in the whole three million five hundred and forty-five thousand pounds.

(2) The date of payment of any Treasury Bills issued under this section shall be a date not later than the thirty-first day of March, one thousand nine hundred and twenty-seven, and section six of the Treasury Bills Act, 1877 (which relates to the renewal of bills), shall not apply with respect to those bills.

40 & 41 Vict. c. 2.

(3) Any money borrowed otherwise than on Treasury Bills shall be repaid, with interest not exceeding five pounds per cent. per annum, out of the growing produce of the Consolidated Fund, at any period not later than the next succeeding quarter to that in which the money was borrowed.

(4) Any money borrowed under this section shall be placed to the credit of the account of the Exchequer, and shall form part of the said Consolidated Fund, and be available in any manner in which such Fund is available.

APPROPRIATION OF GRANTS.

Appropriation of sums voted for supply services.

3. All sums granted by this Act out of the said Consolidated Fund towards making good the supply granted to His Majesty, amounting, as appears by Schedule (A), in the aggregate, to the sum of three million five hundred and forty-five thousand pounds, are appropriated for the services and purposes expressed in Schedule (B) annexed hereto.

The abstract of schedules and schedules annexed hereto, with the notes (if any) to such schedules, shall be deemed to be part of this Act in the same manner as if they had been contained in the body thereof.

Short title.

4. This Act may be cited for all purposes as the Appropriation (No. 2) Act, 1926.

ABSTRACT

OF

Section 3.

SCHEDULES (A.) and (B.) to which this Act refers.

SCHEDULE (A.)

	£	s.	d.
Grants out of the Consolidated Fund - -	3,545,000	0	0

Section 3.

SCHEDULE (B.)—APPROPRIATION OF GRANTS.

1926–1927.	Supply Grants. £	s.	d.
Civil Services (Supplementary), 1926–27 -	3,250,000	0	0
Revenue Departments (Supplementary), 1926–27	295,000	0	0
Total - - - - - -	3,545,000	0	0

SCHEDULE (A.)

Sched. (A.)

Grants out of the Consolidated Fund.

For the service of the year ending on the 31st day of March 1927:—

	£	s.	d.
Under this Act - - - - - -	3,545,000	0	0
Total - - - - - -	3,545,000	0	0

SCHEDULE (B.)

Civil Services and Revenue Departments (Supplementary), 1926–27.

Schedule of Supplementary Sums granted to defray the Charges for the Services herein particularly mentioned for the Year ending on the 31st day of March 1927, viz.:—

CIVIL SERVICES.

Unclassified Service.	Supply Grants. Sums not exceeding £
For relief arising out of unemployment -	3,250,000

REVENUE DEPARTMENTS.

For the salaries and expenses of the Post Office, including Telegraphs and Telephones	295,000

CHAPTER 34.

An Act to increase the rateable deductions to be made from the pay of the police and to authorise, in certain circumstances, the return of rateable deductions in the case of members of police forces retired or dismissed after the thirtieth day of June, nineteen hundred and nineteen. [22nd November 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Increase of rateable deductions. 11 & 12 Geo. 5. c. 31.

1. The rateable deductions to be made from the pay of every member of a police force under section nineteen of the Police Pensions Act, 1921 (hereinafter referred to as the principal Act), shall be at the rate of five per cent. of his pay, and that section shall have effect accordingly.

Power to return rateable deductions in certain circumstances.

2.—(1) Where, after the thirtieth day of June, nineteen hundred and nineteen, and before the commencement of the principal Act, a member of a police force left the force without a pension or gratuity and in circumstances which did not enable him to reckon his service in the force for the purpose of pension, the police authority may, if they think fit,—

(*a*) if he so left the force on retiring (whether voluntarily or as an alternative to dismissal), either pay to him the whole or any part of any rateable deductions which had been made from his pay or apply the same in such manner as they think fit for the benefit of his wife or widow or children, if any; or

(*b*) if he so left the force on being dismissed, apply the whole or any part of such rateable deductions as aforesaid in such manner as they think fit for the benefit of his wife or widow or children, if any.

(2) This section shall not apply to Scotland.

Short title and construction.

3. This Act may be cited as the Police Pensions Act, 1926, and shall be construed as one with the principal Act, and that Act and this Act may be cited together as the Police Pensions Acts, 1921 and 1926.

CHAPTER 35.

An Act to amend section eleven of the Industrial Assurance Act, 1923, with respect to the exemption from that Act of juvenile societies.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Exemption of certain juvenile societies. 13 & 14 Geo. 5. c. 8.

1. For section eleven of the Industrial Assurance Act, 1923, the following section shall be substituted:

" .—(1) This Act shall not apply to a juvenile society within the meaning of this section notwithstanding that premiums of the juvenile members of the society are received by means of collectors, if and so long as no premiums of any members of the society who are not juvenile members are so received.

"(2) For the purposes of this section the expression 'juvenile socicty' means a registered friendly society or branch which consists wholly or in part of juvenile members, and which is a branch of, or is shown to the satisfaction of the Commissioner to be connected with, a friendly society registered before the seventh day of June, nineteen hundred and twenty-three, and the expression 'juvenile member' means a member under the age of eighteen years."

Short title and construction.

2. This Act may be cited as the Industrial Assurance (Juvenile Societies) Act, 1926, and shall be construed as one with the Industrial Assurance Act, 1923, and that Act and this Act may be cited together as the Industrial Assurance Acts, 1923 and 1926.

CHAPTER 36.

An Act to amend the Parks Regulation Act, 1872.
[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Application. 35 & 36 Vict. c. 15.

1. The Parks Regulation Act, 1872 (hereinafter referred to as the principal Act), shall apply to all parks, gardens, recreation grounds, open spaces and other land for the time being vested in, or under the control or management of, the Commissioners of Works, and accordingly in that Act the expression "park" shall include all such parks, gardens, recreation grounds, open spaces and land as aforesaid:

Provided that the provisions of the First Schedule to the principal Act shall not apply to any park to which those provisions did not apply immediately before the commencement of this Act.

Power to make regulations.

2.—(1) Subject to the provisions of this Act, the Commissioners of Works may make such regulations to be observed by persons using any park to which the principal Act applies, as they consider necessary for securing the proper management of the park, and the preservation of order and prevention of abuses therein, and if any person fails to comply with, or acts in contravention of, any regulations so made, he shall be guilty of an offence against the principal Act and shall be liable on conviction thereof by a court of summary jurisdiction to a penalty not exceeding five pounds.

(2) Before any regulation made under this Act comes into operation, a draft thereof shall be laid before each House of Parliament for a period of not less than twenty-one days on which that House has sat, and if either House before the expiration of that period presents an Address to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of any new draft regulation.

(3) As from and after the date upon which regulations made under this Act come into operation as respects any park, all references in the principal Act to regulations shall, as respects that park, be construed as references to regulations made under this Act.

(4) The Documentary Evidence Act, 1868, as amended by the Documentary Evidence Act, 1882, shall apply to the Commissioners of Works as though the Commissioners were included in the first column of the Schedule to the first-mentioned Act, and any Commissioner or the Secretary, or any person authorised to act on behalf of the Secretary, were mentioned in the second column of that Schedule, and as if the regulations referred to in those Acts included any regulations made under this Act.

31 & 32 Vict. c. 37.
45 & 46 Vict. c. 9.

Application to Royal Botanic Gardens, Kew.
52 & 53 Vict. c. 30.

3. Whereas under section four of the Board of Agriculture Act, 1889, the powers and duties of the Commissioners of Works under the principal Act have, as respects the Royal Botanic Gardens, Kew, been transferred to the Minister of Agriculture and Fisheries:

Now, therefore, this Act shall apply to the Royal Botanic Gardens, Kew, as if references to the Minister of Agriculture and Fisheries were therein substituted for references to the Commissioners of Works.

Short title, citation, extent, construction and repeal.

4.—(1) This Act may be cited as the Parks Regulation (Amendment) Act, 1926, and the principal Act and this Act may be cited together as the Parks Regulation Acts, 1872 and 1926.

(2) This Act shall not extend to Northern Ireland.

(3) Except where the context otherwise requires, references in this Act to the principal Act shall be construed as references to that Act as amended by this Act, and this Act shall be construed as one with the principal Act.

(4) The provisions of the principal Act specified in Part I. of the Schedule to this Act are hereby repealed as from the commencement of this Act, and the provisions of that Act specified in Part II. of the said Schedule shall continue in force for a period of one year after the commencement of this Act and shall then be hereby repealed.

Section 4.

SCHEDULE.

Provisions of Principal Act repealed.

Part I.

Provisions repealed from Commencement of Act.

Section 2.

In section 8 the words " garden or possession " in each place where those words occur.

In section 10 the word " Royal."

The Second Schedule.

Part II.

Provisions repealed upon expiration of One Year after Commencement of Act.

Section 4 (so far as unrepealed).

Section 9.

The First Schedule.

CHAPTER 37.

An Act to make better provision for the protection against lead poisoning of persons employed in painting buildings. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Regulations as to use of lead paint.

1.—(1) The Secretary of State may make regulations for preventing danger from lead paint to persons employed in or in connection with the painting of buildings, and in particular—

(*a*) for prohibiting the use of any lead compound except in the form of paste or of paint ready for use;

(*b*) for the prevention of danger arising from the application of lead paint in the form of spray;

(*c*) for prohibiting dry rubbing down and scraping;

(*d*) for providing for the periodical medical examination of persons employed in or in connection with painting with lead paint, and for the suspension from such employment of persons whose health is or appears likely to be injuriously affected thereby;

(*e*) for securing that facilities for washing during, and on cessation of, work are afforded to persons employed in or in connection with painting;

(*f*) for the use of protective clothing by persons so employed and for preventing clothes left off during work from being soiled by paint; and

(*g*) for the distribution to persons so employed of instructions with regard to hygienic precautions to be taken.

(2) The provisions of sections eighty, eighty-one and eighty-four of the Factory and Workshop Act, 1901 (which relate to procedure in connection with the making of regulations), shall apply as respects regulations made under this section.

1 Edw. 7. c. 22.

Prohibition of employment of women and young persons in painting buildings with lead paint.

2. On and after the nineteenth day of November, nineteen hundred and twenty-seven, it shall not be lawful to employ any woman or young person in painting any part of a building with lead paint:

Provided that this section shall not apply to the employment of

(*a*) persons employed as apprentices in the painting trade under arrangements approved by an order of the Secretary of State made after consultation with the organisations, if any, representative of the employers and workers in the trade; or

(*b*) women or young persons in such special decorative or other work (not being work of an industrial character) as may be excluded from the provisions of this section by an order of the Secretary of State; or (*c*) women who at the passing of this Act are employed in any trade which involves as part of their occupation such painting as aforesaid.

Application of certain provisions of the Factory and Workshop Act, 1901.

3. The provisions of section seventy-three (which relates to notification of diseases in factories) so far as they relate to cases of lead poisoning, sections eighty-five and eighty-six (which relate respectively to breaches and publication of regulations), sections one hundred and nineteen to one hundred and twenty-one (which relate to powers and duties of inspectors), and Part IX. (which relates to legal proceedings) of the Factory and Workshop Act, 1901, shall apply in any case where persons are employed in painting buildings as if the places where they are employed were factories, and as if the persons by whom they are employed were the occupiers of the factories, and with such further or other modifications as may be made by order of the Secretary of State for the purpose of making those provisions applicable to the painting of buildings.

Registers, returns, &c.

4.—(1) Every person who employs persons in painting buildings shall send to the Inspector of Factories for the district in which his office is situated a notice in writing stating his name and the address of his office, and shall keep at his office a register which shall be available for inspection by an inspector of factories at all reasonable times, containing such particulars as to the persons so employed by him, and as to the work on which they are employed as may be prescribed, and shall make such returns to the Inspector of Factories for the district as may be prescribed:

Provided that this section does not apply where the persons employed are persons whose ordinary occupation does not include the painting of buildings.

(2) Any person failing to comply with the requirements of this section shall be liable on summary conviction to a fine not exceeding three pounds.

Power to take samples.

5.—(1) Where an inspector under the Factory and Workshop Act, 1901, suspects that any substance used or intended for use in painting a building contains a lead compound, he may at any time take for analysis sufficient samples of that substance.

(2) If any person who employs persons in painting buildings refuses to allow an inspector to take samples

in pursuance of this section, or to give him facilities for the purpose, he shall be liable on summary conviction to a fine not exceeding three pounds:

Provided that any such person may, at the time when a sample is taken under this section, and on providing the necessary appliances, require the inspector to divide the sample into two parts and to mark and seal and deliver to him one such part.

(3) A certificate purporting to be a certificate by the Government Chemist at the Government Laboratory as to the result of an analysis of a sample under this section shall, in any proceedings under this Act, be evidence of the matters stated therein, unless either party requires the person by whom the analysis was made to be called as a witness.

(4) It shall not be lawful for any person, except in so far as is necessary for the purposes of a prosecution for a contravention of this Act, to publish or disclose to any person the results of an analysis made under this section.

If any person acts in contravention of the provisions of this subsection, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

Application to employment under the Crown.

6. This Act shall apply where persons are employed in painting buildings by or under the Crown in like manner as if the employers were private persons.

Definitions.

7. In this Act the expression "lead paint" means any paint, paste, spray, stopping, filling, or other material used in painting which, when treated in a manner prescribed by rules made by the Secretary of State, yields to an aqueous solution of hydrochloric acid, a quantity of soluble lead compound exceeding, when calculated as lead monoxide, five per cent. of the dry weight of the portion taken for analysis; and the expression "building" includes fixtures.

Short title, construction, commencement and extent.

8.—(1) This Act may be cited as the Lead Paint (Protection against Poisoning) Act, 1926, and shall be construed as one with the Factory and Workshop Acts, 1901 to 1920.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-seven.

(3) This Act shall not extend to Northern Ireland.

CHAPTER 38.

An Act to amend the law with respect to the constitution and extension of county boroughs, and to amend the Local Government (Adjustments) Act, 1913. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Limitation of power to constitute county boroughs.

51 & 52 Vict. c. 41.

1.—(1) It shall not be lawful for the Minister of Health by Provisional Order to constitute a borough into a county borough, and accordingly paragraph (*d*) of subsection (1) of section fifty-four of the Local Government Act, 1888, and in subsection (3) of the same section the words "or for constituting a borough into a county "borough" shall be repealed.

(2) It shall not be lawful for the council of any borough to promote a Bill for the purpose of constituting the borough into a county borough unless the population of the borough, according to the published returns of the last census, for the time being is seventy-five thousand or upwards.

Provisions as to the extension of county boroughs.

2.—(1) Where under section fifty-four of the Local Government Act, 1888, a representation is made to the Minister of Health by the council of a county borough for any purpose involving the extension of the area of the county borough, the Minister shall not entertain the representation—

(*a*) unless he is satisfied that the council of the county borough have sent to the councils of the counties, boroughs and districts affected notice of the proposed representation, together with a draft of the order which they desire to have made to give effect to their proposals; and

(*b*) unless no notice of objection to procedure by Provisional Order has been sent to him by any such council within four weeks from the receipt of the notice from the county borough council, or unless every such notice of objection has been withdrawn.

(2) Where in consequence of any such notice of objection or on any other ground the Minister declines to entertain the representation, the application for the Provisional Order shall be deemed and taken to be a petition for leave to bring in a Private Bill, and the notices published and served and the deposits made for the purposes of the proposed Provisional Order shall, so far as they comply with the requirements of the Standing Orders of the House of Lords and of the House of Commons respectively in the case of a Private Bill, be held to have been published and served and made for a Private Bill applying for similar powers:

Provided that the council of a county borough shall forthwith inform all persons who have objected to the Provisional Order and other interested persons of their intention to proceed by way of Private Bill.

Modifications of the Borough Funds Acts.

3.—(1) Where the council of a borough promote a private Bill the sole purposes of which are to constitute the borough a county borough, or to extend the area of the borough being a county borough, and purposes incidental thereto, section one of the Borough Funds Act, 1903, and the First Schedule to that Act (relating to the holding of meetings of electors and the taking of polls) shall not apply in relation to that Bill.

3 Edw. 7. c. 14.

(2) The Borough Funds Acts, 1872 and 1903, as amended by the foregoing subsection, shall extend to a Bill having as its object the extension of the area of a county borough, notwithstanding that that object may be attainable by Provisional Order.

Saving as to union of county boroughs.

4. Nothing in the foregoing provisions of this Act shall apply to the union of two county boroughs or affect the powers of the Minister of Health to effect such a union by Provisional Order.

Amendment of 3 & 4 Geo. 5. c. 19.

5. The Local Government (Adjustments) Act, 1913, in its application to any adjustments consequent on an alteration of boundaries or other change effected after the passing of this Act, shall have effect as if in paragraph (2) of Part II. of the Schedule to that Act for the words " the average annual increase of burden multiplied by fifteen" there were substituted the following words: "the average annual increase of burden multiplied—

"(*a*) so far as that increase of burden is attributable to the cost of maintenance of roads, by twenty-one; and

"(*b*) in other cases, by fifteen."

Short title and extent.

6.—(1) This Act may be cited as the Local Government (County Boroughs and Adjustments) Act, 1926.

(2) This Act shall extend to England and Wales only.

CHAPTER 39.

An Act to regulate the sale on commission of horticultural produce. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Duty of salesman to record and deliver particulars of sales.

1.—(1) Where in the case of any horticultural produce consigned for sale on commission the salesman makes a charge by way of commission or otherwise, he shall enter in a book kept by him for the purpose the names of the owner or consignor of the produce and of every purchaser, and the price paid or agreed to be paid by each purchaser, and shall as soon as practicable after the sale send by post or deliver to the owner or consignor an account containing the following particulars:—

(*a*) the actual price paid or agreed to be paid for the produce, and where there is any variation in price, the number, weight or quantity sold, or agreed to be sold, at each price; and

(*b*) the commission or other charge made by the salesman for selling the produce, together with details of any charges made for services in connection with the sale; and

(*c*) the amounts, if any, paid or payable by the salesman on behalf of the owner or consignor in connection with the sale, with details thereof.

(2) If on any such sale as aforesaid any produce is bought by the salesman or by any person on his behalf, the fact shall be stated in the account; but nothing in this provision shall be construed as rendering any such transaction, if otherwise illegal, legal.

(3) If any person fails to make any entry, or send or deliver any account, or sends an account not containing the particulars required by this section, or makes an entry or sends or delivers an account which is false in any material particular, he shall be liable on summary conviction in the case of a first offence to a fine not exceeding twenty pounds, and in the case of a subsequent offence to a fine not exceeding one hundred pounds:

Provided that, in any proceedings under this section, if the defendant proves to the satisfaction of the court that the offence was due to a bonâ fide mistake or accident, in spite of all reasonable precautions being taken and all due diligence exercised by the defendant to prevent the occurrence of such offence, or the offence was due to the action of some person over whom the defendant had no control, the defendant shall be discharged from the prosecution.

(4) The provisions of this Act shall not apply to the sale of horticultural produce unless the owner or consignor sends to the salesman before the sale an advice note specifying the nature and description of the packages consigned and the contents thereof.

Inspection of books, &c.

2. The owner or consignor of any such produce may within ten days of the delivery to him of an account in pursuance of this Act, by notice in writing, require the salesman to produce any records, books, or documents in his possession, so far as they relate to the sale of such produce, for inspection by an accountant nominated by the owner or consignor, being an accountant possessing such qualifications as may be prescribed by the Minister of Agriculture and Fisheries, or in Scotland by the Board of Agriculture for Scotland, and if the salesman refuses or fails to produce for inspection, or destroys or obliterates any such records, books or documents, or obstructs the accountant in any such inspection, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

Interpretation.

3.—(1) In this Act the expression "horticultural produce" means vegetables, fruit, flowers and plants.

(2) For the purposes of this Act, produce consigned for sale shall be deemed to have been consigned for sale on commission unless at or before the sale of the produce—

(*a*) the salesman has received from the owner or consignor a direction in writing to the contrary; or

(*b*) the owner or consignor and the salesman have entered into an agreement in writing to the contrary;

and any such agreement may apply either to a particular consignment or generally to all such consignments as may be specified in the agreement.

(3) Where the owner or consignor of any horticultural produce has appointed a person to act as his agent for the purposes of this Act, anything by this Act authorised or required to be done to or by the owner or consignor may be done to or by such agent.

Short title and extent.

4.—(1) This Act may be cited as the Horticultural Produce (Sales on Commission) Act, 1926.

(2) This Act shall not extend to Northern Ireland.

CHAPTER 40.

An Act to confer on Courts in India and other parts of His Majesty's Dominions jurisdiction in certain cases with respect to the dissolution of marriages, the parties whereto are domiciled in England or Scotland, and to validate certain decrees granted for the dissolution of the marriage of persons so domiciled.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Divorce jurisdiction of High Courts in India where parties are domiciled in England or Scotland.

1.—(1) Subject to the provisions of this Act, a High Court in India to which Part IX. of the Government of India Act applies shall have jurisdiction to make a decree for the dissolution of a marriage, and as incidental thereto to make an order as to damages, alimony or maintenance, custody of children, and costs, where the parties to the marriage are British subjects domiciled in England or in Scotland, in any case where a court in India would have such jurisdiction if the parties to the marriage were domiciled in India:

Provided that—

(*a*) the grounds on which a decree for the dissolution of such a marriage may be granted by any such court shall be those on which such a decree might be granted by the High Court in England according to the law for the time being in force in England; and

(*b*) any such court in exercising such jurisdiction shall act and give relief on principles and rules as nearly as may be conformable to those on which the High Court in England for the time being acts and gives relief; and

(*c*) no such court shall grant any relief under this Act except in cases where the petitioner resides in India at the time of presenting the petition and the place where the parties to the marriage last resided together was in India, or make any decree of dissolution of marriage except where either the marriage was solemnized in India or the adultery or crime complained of was committed in India; and

(*d*) any such court may refuse to entertain a petition in such a case if the petitioner is unable to show that by reason of official duty, poverty or any other sufficient cause, he or she is prevented from taking proceedings in the court of the country in which he or she is domiciled, and the court shall so refuse if it is not satisfied that in the interests of justice it is desirable that the suit should be determined in India.

(2) Any such order for alimony or maintenance or for custody of children shall have effect in India on the making thereof, but save as aforesaid no such decree or order shall have any force or effect either in India or elsewhere unless and until registered in manner hereinafter provided.

(3) On production of a certificate purporting to be signed by the proper officer of the High Court in India by which the decree or order is made, the decree or order shall—

(*a*) if the parties to the marriage are domiciled in England, be registered in the High Court in England;

(*b*) if the parties to the marriage are domiciled in Scotland, be registered in the books of council and session;

and upon such registration shall, as from the date of registration, have the same force and effect, and proceedings may be taken thereunder as if it had been a decree or order made on the date on which it was made by the High Court in India, by the High Court in England or the Court of Session in Scotland, as the case may be, and, in the case of an order, proceedings may be taken for the modification or discharge thereof as if it had been such an order as aforesaid:

Provided that—

(i) the High Court in England or the Court of Session in Scotland shall not, unless the Court for special reasons sees fit so to do, entertain any application for the modification or discharge of any such order if and so long as the person on whose petition the decree for the dissolution of the marriage was pronounced is resident in India; and

(ii) where an order for the payment of alimony has been so registered in the books of council and session, the Court of Session shall in addition to any other power have power in the event of any material change of circumstances to discharge or modify such order.

(4) Proceedings before a High Court in India in exercise of the jurisdiction conferred by this Act shall

be conducted in accordance with rules made by the Secretary of State in Council of India with the concurrence of the Lord Chancellor, and those rules shall provide—

(*a*) for petitions being heard before a judge or one of two or more judges of the court nominated for the purpose by the chief justice of the court with the approval of the Lord Chancellor;

(*b*) for the decree or order made by such a judge being subject to appeal to two judges of the court similarly nominated without prejudice however to any right of ultimate appeal to His Majesty in Council;

(*c*) for prohibiting or restricting the exercise of the jurisdiction where proceedings for the dissolution of the marriage have also been instituted in England or Scotland;

(*d*) for preventing, in the case of a decree dissolving a marriage between parties domiciled in Scotland, the making of an order for the securing of a gross or annual sum of money;

(*e*) for limiting cases in which applications for the modification or discharge of an order may be entertained by the court to cases where at the time the application is made the person on whose petition the decree for the dissolution of the marriage was pronounced is resident in India;

(*f*) for prescribing the officer of the Court empowered to give certificates under this Act, and the form of any such certificate;

(*g*) for conferring on such official as may be appointed for the purpose within the jurisdiction of each High Court the like right of showing cause why a decree should not be made absolute as is exercisable in England by the King's Proctor.

(5) The decision of a High Court in India, or on an appeal therefrom, as to the domicile of the parties to a marriage shall for the purposes of this Act be binding on all courts in England, Scotland and India.

Power to extend Act to other

2.—(1) His Majesty may, by Order in Council, provide for applying the foregoing provisions of this

British possessions.

Act, subject to the necessary modifications, to any part of His Majesty's Dominions other than a self-governing dominion, in like manner as they apply to India, and, in particular, any such Order in Council may determine the court by which the jurisdiction conferred by those provisions is to be exercised.

(2) For the purposes of this section "self-governing dominion" means the Dominion of Canada, the Commonwealth of Australia (which for this purpose shall be deemed to include Papua and Norfolk Island), the Dominion of New Zealand, the Union of South Africa, the Irish Free State, Newfoundland, and the Colony of Southern Rhodesia.

Validity of certain decrees.

3. Any decree granted under the Act of the Indian Legislature known as the Indian Divorce Act, 1869, and confirmed or made absolute under the provisions of that Act, for the dissolution of a marriage the parties to which were at the time of the commencement of the proceedings domiciled in England or in Scotland, and any order made by the court in relation to any such decree shall, if the proceedings were commenced before the passing of this Act, be as valid and be deemed always to have been as valid in all respects as though the parties to the marriage had been domiciled in India.

Short title.

4. This Act may be cited as the Indian and Colonial Divorce Jurisdiction Act, 1926.

CHAPTER 41.

An Act to amend the Officers of Royal Naval Reserve Act, 1863. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Amendment of s. 3 of the principal Act. 26 & 27 Vict. c. 69.

1. The provisions of the Officers of Royal Naval Reserve Act, 1863 (hereinafter referred to as "the principal Act"), which relate to the pensions and allowances payable to officers to whom that Act applies on disablement and to the dependent relatives of such officers (that is to say, in section three thereof the words from "and if any such person is disabled" to the end of the section), are hereby repealed, and in lieu thereof the following provision shall have effect:—

> "Where any such officer sustains any disability of mind or body which is attributable to the conditions of naval service, he may be granted an allowance or pension in respect thereof at such rate and subject to such conditions as the Admiralty with the consent of His Majesty in Council may appoint, and where he is killed or dies as the result of any wound, accident, injury or disease attributable to the conditions of naval service, his widow, children or other dependent relatives may be granted such pension, allowances or gratuity as the Admiralty with the like consent may appoint."

Amendment of s. 2 of the principal Act.

2. The consent of His Majesty in Council shall not be necessary to rules, orders and regulations established by the Admiralty under section two of the principal Act with reference to the enrolment of persons as officers of reserve to the Royal Navy, and accordingly the words "with the consent of Her Majesty in Council" in the said section are hereby repealed.

Short title and citation.

3. This Act may be cited as the Naval Reserve (Officers) Act, 1926, and the principal Act and this Act may be cited together as the Naval Reserve (Officers) Acts, 1863 and 1926.

CHAPTER 42.

An Act to amend subsection (2) of section eleven of the Workmen's Compensation Act, 1925.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of 15 & 16

1. In subsection (2) of section eleven of the Workmen's Compensation Act, 1925 (which relates to reviews

Geo. 5. c. 84. s. 11 (2).

of weekly payments to workmen who were at the date of the accident under twenty-one years of age) for the words "and before the workman attains the age of "twenty-one years" there shall be substituted the words "and the application for the review is made "before or within six months after the workman attains "the age of twenty-one years."

Short title.

2. This Act may be cited as the Workmen's Compensation Act, 1926, and the Workmen's Compensation Act, 1925, and this Act may be cited together as the Workmen's Compensation Acts, 1925 and 1926.

CHAPTER 43.

An Act to amend the law relating to smoke nuisances and for other purposes connected therewith. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Amendment of 38 & 39 Vict. c. 55, and 54 & 55 Vict. c. 76 in respect of smoke nuisances.

1.—(1) The provisions of the Public Health Act, 1875, relating to smoke nuisances shall be amended as follows:—

(*a*) For the purposes of section ninety-one of the Act a chimney (not being the chimney of a private dwelling-house) sending forth smoke in such quantity as to be a nuisance shall be deemed to be a nuisance liable to be dealt with summarily in manner provided by that Act, notwithstanding that the smoke is not black smoke:

(*b*) For the purposes of sections ninety-one, ninety-two, and one hundred and two of the Act the expression "smoke" shall include soot, ash, grit, and gritty particles:

(*c*) Where the complaint upon which a summons is issued relates to a smoke nuisance, fifty pounds shall be substituted for five pounds as the maximum penalty which may be imposed under section ninety-six of the Act:

(*d*) Section ninety-eight of the Act in its application to an order relating to a smoke nuisance shall be read as if forty shillings and five pounds were substituted therein for ten shillings and twenty shillings respectively:

(*e*) Section three hundred and thirty-four of the Act shall have effect as if there were included amongst the processes specified in that section the processes of re-heating, annealing, hardening, forging, converting and carburising iron and other metals, and if the Minister of Health makes a Provisional Order to that effect, any other industrial process specified in the Order:

Provided that the Minister may by Provisional Order at any time after the expiration of five years from the passing of this Act exclude from the application of that section any processes specified in that section as amended by this paragraph so far as smoke nuisances are concerned. An order made under this subsection for including any process amongst the processes specified in section three hundred and thirty-four of the Act or for excluding any process therefrom may contain conditions and limitations subject to which the inclusion or exclusion is to take effect.

(2) The provisions of the Public Health (London) Act, 1891, relating to smoke nuisances and smoke consumption shall be amended as follows:— 54 & 55 Vict. c. 76.

(*a*) For the purposes of section twenty-four of the Act a chimney (not being the chimney of a private dwelling-house) sending forth smoke in such quantity as to be a nuisance shall be deemed to be a nuisance liable to be dealt with summarily in manner provided by that Act, notwithstanding that the smoke is not black smoke:

(*b*) For the purposes of sections twenty-three and twenty-four of the Act the expression "smoke" shall include soot, ash, grit, and gritty particles:

(*c*) Where a notice served under section four of the Act relates to a smoke nuisance, fifty pounds shall be substituted for ten pounds as the maximum penalty which may be imposed under subsection (4) of that section:

(*d*) Where a nuisance order made under section five of the Act relates to a smoke nuisance, subsection (9) of that section and subsection (3) of section six of the Act shall be read as if forty shillings and five pounds were substituted therein for twenty shillings and forty shillings respectively:

(*e*) In subsection (2) of section twenty-three of the Act (which relates to penalties for non-consumption of their own smoke by furnaces) "twenty-five pounds" and "fifty pounds" shall be substituted for "five pounds" and "ten pounds" respectively.

(3) In any proceedings for sending forth smoke, other than black smoke, from a chimney in such a quantity as to be a nuisance, it shall be a defence for the person charged to show that he has used the best practicable means for preventing the nuisance, having regard to the cost and to local conditions and circumstances, and for the purposes of this subsection, the expression "best practicable means" has reference not only to the provision and efficient maintenance of adequate and proper plant for preventing the creation and emission of smoke, but also to the manner in which such plant is used.

(4) Where, in the opinion of any officer duly authorised by a local authority to act in that behalf, a smoke nuisance exists, he shall, as soon as practicable after he has become aware thereof, notify the occupier of the premises on which the nuisance exists, and, if that notification was not in writing, shall, within twenty-four hours after he has become aware of the nuisance, confirm the notification in writing.

Byelaws as to smoke.

2.—(1) Any local authority may, and if so required by the Minister of Health, shall, make byelaws regulating the emission of smoke of such colour, density, or content as may be prescribed by the byelaws, and where such byelaws are in force the emission of smoke of the character so prescribed for such period as may be prescribed in the byelaws either from buildings generally to which the enactments relating to smoke nuisances apply or from such classes of those buildings as may be so prescribed shall, until the contrary is proved, be presumed to be a nuisance.

(2) In the application of this section to London, the port sanitary authority of the port of London shall be the local authority within the district of that authority, but save as respects that district the London County Council shall be the local authority within the area of the county of London and the Common Council shall be the local authority within the City of London.

(3) The provisions of the Public Health Acts, 1875 to 1925, and of the Public Health (London) Act, 1891, as the case may be, shall apply to the making, confirming and enforcing of any byelaws made under this section.

Meaning of "chimney."

3. For the purpose of section ninety-one of the Public Health Act, 1875, section twenty-four of the Public Health (London) Act, 1891, and of this Act, the expression "chimney" shall include structures and openings of any kind whatsoever capable of emitting smoke.

Power to make orders extending the provisions of 6 Edw. 7. c. 14.

4.—(1) The Minister of Health may, after a public inquiry and after consultation with any local authorities or other interests concerned, make orders—

(*a*) extending the list of noxious or offensive gases mentioned in section twenty-seven of the Alkali, &c., Works Regulation Act, 1906; and

(*b*) extending the list of works mentioned in the First Schedule to the said Act;

and any such order may prescribe the qualifications subject to which subsection (1) of section seven of the said Act shall apply in the case of any noxious or offensive gas, or in the case of any works, included in such order.

(2) Any order made under this Act shall be laid before both Houses of Parliament forthwith; and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight days on which that House has sat after any such order is laid before it, praying that the order may be annulled, it shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of any new order.

(3) Where the Minister of Health is of opinion that any work is of such a character as is likely to cause the evolution of any noxious or offensive gas, he may, notwithstanding that the provisions of the Alkali, &c.

Works Regulation Act, 1906, may not apply to that work, authorise an inspector appointed under that Act to enter and inspect such work, and the provisions of that Act relating to the powers of inspectors shall apply in respect of that work in the case of any inspector so authorised.

Power to make byelaws respecting new buildings. 57 & 58 Vict. c. ccxiii.

5. The powers of an urban authority under section one hundred and fifty-seven of the Public Health Act, 1875, and of the London County Council under section one hundred and sixty-four of the London Building Act, 1894, shall extend to the making of byelaws requiring the provision in new buildings other than private dwelling-houses of such arrangements for heating or cooking as are calculated to prevent or reduce the emission of smoke.

Combination of local authorities for purposes of Act. 56 & 57 Vict. c. 73.

6. Two or more local authorities may combine to carry out their duties under section ninety-two of the Public Health Act, 1875, in respect of smoke nuisances, and for that purpose may concur in appointing a joint committee to which the provisions of section fifty-seven of the Local Government Act, 1894, shall apply.

Powers of county councils.

7.—(1) If a county council resolve that a local authority within the county have failed to carry out their duties under section ninety-two of the Public Health Act, 1875, in respect of smoke nuisances and make complaint thereof to the Minister of Health, or if a local authority after being required by the Minister so to do have failed to make such byelaws as are mentioned in this Act, the Minister may cause an inquiry to be held and, if satisfied from the result of such inquiry that the local authority have failed to carry out their duties adequately, may by order authorise the county council to carry out those duties either for a definite period or until the Minister otherwise directs.

(2) The Minister shall in any case where he considers it expedient to do so cause an inquiry to be held as to the manner in which a local authority have carried out their duties under the said Act with respect to smoke nuisances, and if satisfied from the result of such inquiry that the authority have failed to carry out their duties adequately, he may by order authorise the county council to carry out those duties either for a definite period or until the Minister otherwise directs.

(3) Any expenses incurred by a county council in carrying out any such duties shall be deemed to be a debt from the local authority to the county council, and shall be defrayed as part of the expenses of the local authority in the execution of the Public Health Act, 1875.

Duty of local authorities to furnish information.

8. Every county council or other local authority shall, on being required to do so by the Minister, furnish to the Minister such information as he may from time to time require as to their proceedings with regard to the abatement of smoke nuisances.

Saving as to steam vessels.

9. Nothing in this Act shall apply to any ship habitually used as a sea-going ship, or affect the enactments in force at the commencement of this Act with respect to smoke nuisance and smoke consumption in any such ship.

Powers of local authorities to conduct researches.

10.—(1) A local authority may undertake or may combine with other local authorities in undertaking investigations and researches into problems relating to atmospheric pollution and the abatement of smoke nuisances, and may contribute towards the cost of similar investigations and researches undertaken by other bodies or persons.

(2) The Minister of Health may, for the purposes of this section, make rules prescribing restrictions or conditions subject to which powers conferred by this section may be exercised.

Application to Crown.

11. If it appears to a local authority that a smoke nuisance exists on any premises within their district occupied for the public service of the Crown, they shall report the circumstances to the appropriate government department, and, if the Minister responsible for that department is satisfied after due inquiry that such a nuisance exists, he shall cause such steps to be taken as may be necessary to abate the nuisance and to prevent a recurrence thereof.

Short title, extent and commencement.

12.—(1) This Act may be cited as the Public Health (Smoke Abatement) Act, 1926, and the Public Health Acts, 1875 to 1925, and this Act (except so far as it relates to London) may be cited together as the Public Health Acts, 1875 to 1926, and the Public Health (London) Act, 1891, the Public Health (London) Act, 1891, Amendment Act, 1893, and this Act so far as it

56 & 57 Vict. c. 47.

relates to London, may be cited together as the Public Health (London) Acts, 1891 to 1926.

(2) Section four of this Act shall be construed as one with the Alkali, &c., Works Regulation Act, 1906, and the other provisions of this Act in their application to London shall be construed as one with the Public Health (London) Act, 1891, but save as aforesaid this Act shall be construed as one with the Public Health Acts, 1875 to 1925. Provided that in the application to London of such other provisions of this Act as aforesaid the expression "local authority" shall mean the sanitary authority within the meaning of the Public Health (London) Act, 1891, save as otherwise in this Act provided.

(3) This Act shall not apply to Scotland or Northern Ireland.

(4) This Act shall come into operation on the first day of July, nineteen hundred and twenty-seven.

CHAPTER 44.

An Act to amend the law with respect to the salaries and pensions of persons hereafter appointed to be judges of the Supreme Court of Judicature of Northern Ireland, and with respect to certain matters connected with that Court. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Salaries and pensions of future judges.
40 & 41 Vict. c. 57.

1.—(1) Section eighteen of the Supreme Court of Judicature (Ireland) Act, 1877 (which determines the salaries payable to judges of the Supreme Court of Judicature of Northern Ireland) shall, as respects judges appointed after the commencement of this Act, have effect as if for the salaries mentioned in that section there were substituted as the salaries which shall be paid to such judges, including in each case any pension to which the judge may be entitled in respect of any public office previously filled by him, the following salaries respectively:—

To the Lord Chief Justice of Northern Ireland, four thousand five hundred pounds a year:

To each ordinary judge of the Court of Appeal in Northern Ireland, three thousand five hundred pounds a year:

To each of the other judges of the High Court of Justice in Northern Ireland, three thousand pounds a year.

(2) The pension which may be granted under section nineteen of the Supreme Court of Judicature (Ireland) Act, 1877, to an ordinary judge of the Court of Appeal in Northern Ireland appointed after the commencement of this Act shall, instead of being of the amount provided by that section, be of an amount equal to two-thirds of his salary.

Power to direct trial without jury in matters requiring prolonged examination of documents, &c.

2. Notwithstanding anything in any Act, the Supreme Court of Judicature of Northern Ireland, or any division or judge thereof, may direct the trial without a jury of any cause, matter, or issue (not being a criminal cause or matter or an issue arising in criminal proceedings) requiring any prolonged examination of documents or accounts, or any scientific or local investigation which cannot, in the opinion of the court or judge, conveniently be made with a jury.

Explanation of powers of Parliament of Northern Ireland to legislate with respect to jurors and juries.
10 & 11 Geo. 5. c. 67.

3. The reservation by section forty-seven of the Government of Ireland Act, 1920, of matters relating to the Supreme Court of Northern Ireland shall not be construed as precluding the Parliament of Northern Ireland from having power, subject to the other provisions of that Act, to make laws in respect of the following matters in relation to jurors and juries in that Court, namely, the preparation and revision of jury lists, and the qualification, selection, summoning and attendance of jurors.

Short title.

4. This Act may be cited as the Supreme Court of Judicature of Northern Ireland Act, 1926.

CHAPTER 45.

An Act to amend the law with respect to the sale of fertilisers and feeding stuffs.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Civil Liabilities.

Obligation to furnish statutory statements.

1.—(1) It shall be the duty of every person who sells for use as a fertiliser of the soil or as food for cattle or poultry any article included in the first column of the First or Second Schedule to this Act, whatever may be the name under which the article is sold, to give the purchaser on or before delivery, or as soon as reasonably practicable thereafter, a statement in writing (hereinafter referred to as a statutory statement) in such form (if any) as may be prescribed, containing the following particulars:—

(*a*) the name under which the article is sold;

(*b*) such particulars (if any) of the nature, substance, or quality of the article as are in relation to the article mentioned in the second column of such schedule;

(*c*) where the article, if a feeding stuff, contains any ingredient included in the Third Schedule to this Act, the name of such ingredient:

Provided that the obligation so imposed shall not apply—

(i) to sales of two or more articles which are mixed at the request of the purchaser before delivery to him:

(ii) to sales of small quantities (that is to say, sales in quantities of fifty-six pounds or less) if the article sold is taken in the presence of the purchaser from a parcel bearing a conspicuous label on which are marked in the prescribed manner the particulars required by this section to be contained in the statutory statement.

(2) Failure to give a statutory statement in accordance with the provisions of this section shall not invalidate a contract for sale.

Warranties.

2.—(1) A statutory statement given by the seller of any such article as aforesaid shall, notwithstanding any contract or notice to the contrary, have effect as a written warranty by the seller that the particulars contained in the statutory statement are correct.

(2) On the sale for use as food for cattle or poultry of an article included in the first column of the First or Second Schedule to this Act there shall be implied, notwithstanding any contract or notice to the contrary, a warranty by the seller that the article is suitable to be used as such, and does not, except as otherwise expressly stated in the statutory statement, contain any ingredient included in the Third Schedule to this Act.

(3) Where an article sold for use as a fertiliser of the soil or as food for cattle or poultry is in a statutory statement or other document described by a name specified in the first column of the Fourth Schedule to this Act, the sale of the article under that name shall have effect as a written warranty that the article accords with the definition thereof contained in the second column of that schedule.

(4) Any statement as to the amount of chemical or other ingredients or as to the fineness of grinding of an article sold for use as a fertiliser of the soil, or as to the amount of the nutritive or other ingredients of an article sold for use as food for cattle or poultry, which is made after the commencement of this Act in any written document (other than a statutory statement) descriptive of the article shall have effect as a warranty by the seller that the facts stated are correct.

(5) No action on any such warranty as is mentioned in this section shall lie for any mis-statement therein as to the particulars of the nature, substance or quality of the article or as to the amount of any ingredient where the mis-statement does not exceed the limits of variation (if any) prescribed under this Act in relation

to such particulars or amounts, but where the misstatement exceeds such limits, the rights of the purchaser under the warranty shall not be affected by such limits.

Right of purchaser to have article sampled and analysed.

3.—(1) The purchaser of any article included in the first column of the First or Second Schedule to this Act, or of any fertiliser or feeding stuff not included therein in respect of which a warranty, express or implied, has been given by the seller, shall, on payment of such fee (if any) as may be fixed under this Act, be entitled to have a sample of the article taken by an official sampler in the prescribed manner and analysed by the agricultural analyst, and to receive from the analyst a certificate of the result of his analysis:

Provided that a purchaser of an article who requires a sample to be taken under this section shall, if so requested, furnish to the official sampler who takes the sample the statutory statement or warranty relating to the article, or a copy thereof.

(2) A sample taken under this Act by an official sampler at the request of a purchaser shall be taken in the prescribed manner, and shall not be taken after the expiration of fourteen days from the delivery to the purchaser of the article sampled, or the receipt by the purchaser of the statutory statement or warranty, whichever date may be the later.

Criminal Liabilities.

Marking of articles prepared for consignment.

4.—(1) Every parcel of an article included in the first column of the First Schedule to this Act when prepared for sale or consignment for use as a fertiliser of the soil or as food for cattle or poultry shall, if exposed for sale, or, if not exposed for sale, before being removed from the premises where it is so prepared, be marked in the prescribed manner with a mark or marks stating or indicating the particulars required by this Act to be contained in the statutory statement.

(2) Any person dealing in any such parcels may for the purposes of this section keep in such form (if any) as may be prescribed a register of marks specifying the

particulars which the several marks entered in the register are used as indicating, and the marking of any parcel with any mark entered in the register shall, for the purposes of this section, be treated as indicating that the particulars of the article are those entered in the register in relation to the mark:

Provided that—

(*a*) on the sale of any parcel so marked the mark shall be added to the statutory statement; and

(*b*) where the statutory statement received by the seller on the sale to him of the parcel contains any such mark, and the parcel has not been on his premises, that mark shall be added by him to the statutory statement required to be given by him to a purchaser.

(3) If any parcel required under this section to be marked is not so marked, or if from the analysis of a sample of the parcel taken by an inspector in the prescribed manner on the premises on which the parcel is exposed for sale or on any premises on which the parcel after having been so marked may happen to be before being delivered to a purchaser or carrying agent, it appears that the particulars marked or indicated by a mark are false to the prejudice of the purchaser, or do not include any particulars which are required by this Act to be contained in the statutory statement, the person selling or having in his possession or disposition for the purpose of sale or consigning the parcel or exposing it for sale shall be guilty of an offence against this Act.

Consignments *ex* ship or quay.

5.—(1) In the case of an article delivered or consigned direct from a ship or quay to a purchaser, the provisions of this section shall apply in lieu of the provisions of the last preceding section.

(2) The seller of an article included in the first column of the First Schedule to this Act and so delivered or consigned shall as soon as practicable enter in a register kept by him in such form (if any) as may be prescribed the following particulars:—

(*a*) the date of delivery or consignment to the purchaser, the place of delivery to the purchaser or other destination, and the quantity delivered or consigned;

(*b*) any shipping or other mark on the article;

(*c*) the particulars which by this Act are required to be contained in the statutory statement.

(3) The seller of any such article shall be guilty of an offence against this Act—

(*a*) if he fails to enter in his register any particular required by this section to be entered therein other than a particular required to be contained in the statutory statement; or

(*b*) if any particular entered therein, other than a particular required to be contained in the statutory statement, is false in any material particular; or

(*c*) if from the analysis of a sample of the article taken by an inspector in the prescribed manner on the quay or at the time of its delivery to the purchaser or during its transit to him it appears that any particular entered in the register, being a particular required to be contained in the statutory statement, is false to the prejudice of the purchaser, or that any particular required to be contained in the statutory statement is not entered in the register.

Sales in small quantities.

6. Where an article is sold for use as a fertiliser of the soil or as food for cattle or poultry in small quantities from a parcel which purports to be labelled in manner hereinbefore provided, and from an analysis of a sample thereof taken by an inspector in the prescribed manner on the premises on which the parcel is kept it appears that the particulars stated on the label are false to the prejudice of the purchaser, or do not include any particulars which are required by this Act to be contained in a statutory statement, the owner or seller shall be guilty of an offence against this Act.

Deleterious ingredients in feeding stuffs.

7.—(1) Any person who sells or offers or exposes for sale for use as food for cattle or poultry any article which contains any ingredient deleterious to cattle or poultry, or has in his possession, packed and prepared, for sale for such use any such article, shall be guilty of an offence against this Act unless he proves—

(*a*) that he did not know and could not with reasonable care have known that the article contained a deleterious ingredient; and

(*b*) where he obtained the article from some other person, that on demand by or on behalf of the prosecutor he gave all the information in his power with respect to the person from whom he obtained it, and as to the statutory statement given to him, and as to any mark applied to the article when he obtained it:

Provided that proceedings for an offence under this section shall not be instituted unless the article has been sampled by an inspector in the prescribed manner on the premises on which it was sold or exposed or offered for sale or on which it was when prepared for sale or consignment, and the sample has been analysed in accordance with the provisions of this Act.

(2) Any substance mentioned in the Fifth Schedule shall, if present in a feeding stuff or, where a maximum quantity with regard to the substance is indicated in the Fifth Schedule, if present in excess of that quantity, as the case may be, be deemed to be a deleterious ingredient unless the contrary is proved.

Penalties for failure to give and mis-statements in statutory statements.

8.—(1) If a person fails to give a statutory statement in such form (if any) as may be prescribed in any case where he is required by this Act so to do, he shall on summary conviction be liable, in the case of a first offence, to a fine not exceeding five pounds and, in the case of a second or subsequent offence, to a fine not exceeding ten pounds.

(2) If on the sale of an article included in the first column of the First Schedule to this Act a person gives a statutory statement in which the particulars stated therein differ:—

(*a*) from the particulars marked or indicated by a mark placed on a parcel of the article in accordance with this Act; or

(*b*) in the case of an article delivered or consigned direct from a ship or quay to a purchaser, from the particulars entered in accordance with this Act in the seller's register; or (*c*) in the case of an article which has not been on the premises of the seller, from the particulars stated in the statutory statement given to the seller in respect of the article;

he shall be guilty of an offence against this Act unless he proves that he took all reasonable steps to avoid committing the offence and that he acted without intent to defraud.

(3) If a person fails to add to a statutory statement any mark which by virtue of this Act is required to be added thereto, he shall on summary conviction be liable, in the case of a first offence, to a fine not exceeding five pounds and, in the case of a second or subsequent offence, to a fine not exceeding ten pounds.

Inspection of registers and statutory statements.

9.—(1) It shall be the duty of any person by whom a register under this Act is kept, or to whom a statutory statement relating to an article which has been sold by him but which has never been on his premises has been sent, to preserve the register or statement for such period (not exceeding four months) as may be prescribed, and on demand by an inspector at any time within that period to produce it for his inspection, and if the person keeping the register, or to whom such a statutory statement was sent, fails so to preserve it, he shall be liable on summary conviction to a fine not exceeding twenty pounds.

(2) Any person having in his possession or under his control any register kept under this Act or any statutory statement made under this Act shall on demand by an inspector produce it for his inspection and if he fails to do so shall be liable on summary conviction to a fine not exceeding twenty pounds.

(3) An inspector may at all reasonable times enter any premises where he has reasonable cause to believe that any such register or statutory statement is for the time being kept, and may take copies thereof.

Relief from liability under the Merchandise Marks Acts in certain cases.

10. Where in pursuance of the foregoing provisions of this Act a description has been applied to any article included in the first column of the First Schedule to this Act, and such description is a trade description within the meaning of the Merchandise Marks Act, 1887, no proceedings shall be taken under that Act on the ground that the description so applied is a false description. 50 & 51 Vict. c. 28.

Administrative Provisions, Sampling and Analysis.

Enforcement of Act by councils of counties and county boroughs.

11.—(1) It shall be the duty of the council of every county or county borough to enforce within their county or county borough the provisions of this Act, and for that purpose to appoint an official agricultural analyst (in this Act referred to as the agricultural analyst) and such inspectors and official samplers as may be necessary:

Provided that every such inspector shall be a whole-time officer of the council or in the case of a joint appointment of one or more of the councils concurring in the appointment.

(2) Any such council may also appoint a deputy agricultural analyst, who shall in the case of the illness, incapacity, or absence of the agricultural analyst, or pending the appointment of the agricultural analyst, have all the powers and duties of the agricultural analyst; and where the deputy acts, this Act shall apply as if he were the agricultural analyst.

(3) The appointment by a council of the agricultural analyst, or deputy agricultural analyst, inspectors, and official samplers, shall be subject to the approval of the Minister.

(4) A person while holding the office of official sampler shall not engage in farming or any business connected with the manufacture, sale or importation of articles used as fertilisers of the soil or as food for cattle or poultry.

(5) The council of a county or county borough may concur with one or more other such councils in making any appointment which they are required or authorised to make under this section and as to the apportionment amongst the several councils of the expenses of any such joint appointment, but this power shall be in addition to and not in derogation of the power conferred on councils by the Local Government Act, 1888, to appoint joint committees for the purposes of this Act. 51 & 52 Vict. c. 41.

Powers of entry and sampling.

12.—(1) An inspector appointed by a council under this Act may at all reasonable times enter any premises in which he has reasonable cause to believe that there is any article included in the first column of the First Schedule to this Act which has been prepared for sale or consignment, or any article included in the first column of the First or Second Schedule to this Act which is stored for use and not for sale or manufacture, and may take samples in the prescribed manner of any article on such premises which he has reasonable cause to believe to be such an article as aforesaid :

Provided that an inspector shall not exercise such power as aforesaid in respect of any premises situate outside the county or county borough for which he acts without the consent of the council of the county or county borough in which the said premises are situate or of some officer of that council to whom powers of giving such consent may have been delegated by that council.

(2) An inspector appointed by a council under this Act may for the purposes of this Act take a sample otherwise than in the prescribed manner of any article which has been sold for use as a fertiliser of the soil or as food for cattle or poultry, or which he has reasonable cause to believe to be intended for sale as such; but the name of the seller or purchaser or owner of the article of which a sample is so taken shall not be communicated to any person.

(3) An inspector appointed by the Minister may, if specially authorised in that behalf, exercise in any county or county borough the powers conferred by this section on an inspector appointed by the council thereof.

If, in the opinion of the Minister, the council of a county or county borough have insufficiently exercised their powers under this Act, either generally or in any particular case, the inspector appointed by the Minister may submit to the agricultural analyst for the county or county borough the samples so taken by him within that county or county borough; and the amount of any expenses certified by the Minister to have been incurred by an inspector appointed by him in the exercise of such powers as aforesaid shall, on demand, be repaid to the Minister by the council in default, and shall be recoverable from the council either as a debt due to the Crown or summarily as a civil debt.

(4) Where a sample of a parcel packed ready for retail sale which is of fourteen pounds weight or less and is exposed for sale by retail is taken under this section, the retailer may require the inspector to purchase the parcel on behalf of the local authority or of the Minister, as the case may be.

(5) In the exercise at any railway station or upon any railway premises of the powers conferred upon him by this Act an inspector shall conform to such reasonable requirements of the railway company owning or using such station or premises as are necessary to prevent the working of the traffic thereat being obstructed or interfered with.

Provisions as to analysis of samples.

13.—(1) Where a sample has been taken by an inspector or official sampler in the prescribed manner he shall divide it into three parts and cause each part to be marked, sealed and fastened up and he shall send two of the parts to the agricultural analyst together with a signed statement that the sample was taken in the prescribed manner, and the third part he shall deliver or send to the owner or seller as may be prescribed.

(2) Where a sample submitted to the agricultural analyst has been so divided into parts, the agricultural analyst shall analyse one of the parts of the sample sent to him and shall retain the other for such period as may be prescribed.

(3) If the person by or on whose behalf the sample of an article is taken and analysed, or the owner or seller of the article, objects to the certificate of the agricultural analyst, the person objecting thereto shall, on payment of such fee as may be fixed by the Treasury be entitled to have submitted to the Government Chemist the part of the sample retained by the agricultural analyst and to have that part analysed by him and to receive from him a certificate of the result of his analysis.

(4) Where a sample or part of a sample is under this section sent for analysis to the agricultural analyst or the Government Chemist, there shall also be sent to him any statutory statement or warranty relating to the article sampled or a copy thereof, or a copy of the particulars marked on or indicated by a mark applied to the article.

(5) A certificate of analysis shall be signed by the agricultural analyst or the Government Chemist as the case may be; but the analysis may be made by any person acting under the direction of the agricultural analyst or the Government Chemist.

(6) Where a sample taken in the prescribed manner has been analysed by the agricultural analyst, he shall furnish to the person who submitted the sample for analysis and, where that person is not the purchaser, also to the purchaser and in every case to the owner or seller of the article his certificate of analysis:

Provided that, if the agricultural analyst does not know the name and address of the owner or seller, he shall send his certificate intended for the owner or seller to the person who submitted the sample, who shall forward it to the owner or seller.

(7) Where the sample has not been taken in the prescribed manner, the agricultural analyst shall send the certificate to the person who submitted the sample to him.

Tampering with samples.

14. If any person fraudulently—

(*a*) tampers with any article so as to procure that any sample of it taken or submitted for analysis under this Act does not correctly represent the article; or

(*b*) tampers or interferes with any sample taken or submitted for analysis under this Act;

he shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding six months.

Obstruction of inspectors.

15. If the owner or person entrusted for the time being with the charge and custody of any article refuses to allow an inspector to take a sample of the article on any premises on which he is authorised under this Act to take a sample, or if any person otherwise wilfully delays or obstructs any inspector in the execution of his duties under this Act, he shall be liable on summary conviction to a fine not exceeding twenty pounds:

Provided that an inspector seeking to exercise his powers under this Act shall, if so required, produce evidence of his appointment or authority.

Prohibition against disclosures.

16. If any inspector discloses any information obtained by him in or in connection with the exercise of his powers under this Act, except to persons acting in the execution of this Act and so far as such information may be necessary for the execution thereof, he shall be liable on summary conviction to a fine not exceeding fifty pounds.

Financial provisions relating to the councils of counties and county boroughs.

17.—(1) The council of any county or county borough may contribute towards the expenses incurred by any agricultural body or association in causing samples to be taken by an official sampler in the prescribed manner for analysis by the agricultural analyst.

(2) The council of any county or county borough may fix the fees to be payable in respect of the making of any analysis by the agricultural analyst and the taking of samples at the request of purchasers, and the council may fix different fees for different articles and for different quantities of the same article or for different analyses of the same article.

(3) The expenses of a council incurred in the execution of this Act (including any expenditure on the purchase by the council of articles for the purpose of enforcing the provisions of this Act) shall be defrayed in the case of a county council as part of their expenses for general county purposes, and in the case of a county borough council, out of the borough fund or borough rate.

Returns of results of analysis.

18. The council of each county or county borough shall, as soon as practicable after the first day of January, the first day of April, the first day of July, and the first day of October in each year, make a return to the Minister of the results of the analysis of the samples submitted to the agricultural analyst for the county or the county borough during the preceding three months in such form as may be prescribed, and the agricultural analyst shall furnish to the council such information as may be necessary for the purpose.

Legal Proceedings.

Penalties for offences.

19. Any person guilty of an offence against this Act for which no special penalty is provided by this Act shall on summary conviction be liable in the case of a first offence to a fine not exceeding twenty pounds and in the case of a second or subsequent offence to a fine not exceeding fifty pounds.

Restrictions on taking proceedings.

20.—(1) Proceedings for any offence against this Act to which the last foregoing section applies shall not be commenced without the consent of the Minister; and where the proceedings are in respect of causing or permitting any name, mark or particulars (except particulars which are not required to be contained in a statutory statement) to be false, or in respect of failure to include in the particulars marked or indicated by a mark or entered in a register or written on a label, any particulars which are required by this Act to be contained in the statutory statement, or in respect of the presence in a feeding stuff of any deleterious ingredient, the consent of the Minister shall not be given until the part of the sample retained by the agricultural analyst has been analysed and a certificate of analysis given by the Government Chemist.

(2) Where proceedings under this Act are taken against a person in respect of causing or permitting any name, mark, or particulars to be false, or for making a false entry in his register or for failure to state the presence in a feeding stuff of an ingredient included in the Third Schedule to this Act, he shall not be liable to conviction if he proves—

(*a*) that having taken all reasonable precautions against committing an offence against this Act he had not at the time of committing the alleged offence reason to suspect the correctness of the mark or entry, or the presence of such ingredient as aforesaid, as the case may be; and

(*b*) where he obtained the article from some other person, that on demand by or on behalf of the prosecutor he gave all the information in his power with respect to the person from whom he obtained it and as to the statutory statement given to him, and as to any mark applied to the article when he obtained it.

(3) A prosecution in respect of causing or permitting any name, mark or particulars to be false or in respect of the presence of any ingredient included in the Third Schedule to this Act or of any deleterious ingredient,

shall not be instituted under this Act after the expiration of three months from the date on which a sample of the article was taken in the prescribed manner.

(4) In any such prosecution as aforesaid the summons shall state the particulars of the offence alleged and also the name of the prosecutor, and shall not be made returnable in less time than fourteen days from the date on which it is served, and there shall also be served therewith a copy of any certificate of the agricultural analyst obtained on behalf of the prosecutor.

General provisions as to legal proceedings.

21.—(1) Proceedings for an offence under this Act may, if the prosecutor so desires, be taken in the place where the person charged resides or carries on business.

(2) In any proceedings for an offence under this Act it shall be no defence to allege that a sample having been taken for analysis only there was no prejudice to the purchaser.

(3) A prosecution for an offence under this Act may, subject to the provisions of this Act as to the consent of the Minister, be instituted by the person aggrieved or by the council of a county or county borough or with the consent of such council by an inspector appointed by such council, and in any case where a sample has been taken by an inspector appointed by the Minister, may be instituted by the Minister.

Evidence of certificate of analysis.

22.—(1) Where a sample, which has been taken in the prescribed manner by an inspector or official sampler, and has been divided into parts and marked, sealed and fastened up as hereinbefore mentioned, has been analysed, the agricultural analyst's certificate shall at the hearing of any civil or criminal proceedings with respect to the article sampled be sufficient evidence of the facts therein stated, unless the defendant or person charged requires that the person who made the analysis be called as a witness, or that the sample be further analysed by the Government Chemist.

(2) In any legal proceedings the production of a certificate by the Government Chemist shall be sufficient evidence of the facts stated therein unless either party to the proceedings requires that the person who made the analysis be called as a witness.

General.

Regulations.

23.—(1) The Minister and the Board of Agriculture for Scotland jointly may, after consultation with the advisory committee to be constituted under this section, make regulations for prescribing anything which under this Act is required or authorised to be prescribed, and generally for carrying this Act into operation; and in particular such regulations may provide—

(*a*) for varying any of the schedules to this Act;

(*b*) for prescribing the manner in which articles required to be marked under this Act are to be marked and the nature of such marks;

(*c*) for prescribing the limits of variation for the purposes of this Act;

(*d*) for prescribing the manner in which samples are to be taken and dealt with in cases where under this Act they are taken in the prescribed manner;

(*e*) as to the method in which analyses for determining the percentages of particular substances are to be made;

(*f*) as to the qualifications to be possessed by agricultural analysts and deputy agricultural analysts and as to the form of certificates of analysis given by them;

and where any schedule is varied by regulations so made, this Act shall have effect as if the schedule as so varied were substituted for the schedule contained in this Act.

(2) For the purpose of assisting and advising them with respect to the making of regulations under this Act, the Minister and Board shall, after consultation with such associations as appear to them to represent the interests concerned, jointly appoint an advisory committee.

(3) All regulations made under this section shall be laid before Parliament as soon as may be after they are made, and if either House of Parliament, within the next subsequent twenty-one days on which that House has sat next after the regulations are laid

before them, presents an address to His Majesty praying that the regulations or any part of them may be annulled, they shall thenceforth be void, but without prejudice to the validity of anything previously done thereunder or to the making of new regulations.

Exemption for certain sales.

24. This Act shall not apply to the sale of an article used as a fertiliser of the soil or as a food for cattle or poultry where the sale is in exercise of a statutory power to enforce a right or to satisfy a claim or lien, or where the sale is made by a sheriff, bailiff, or other officer to satisfy a writ of execution, or warrant or decree of any court, or a distress for rent or warrant of distress.

Meaning of certain expressions.

25. Where for the purposes of this Act the expressions "percentage of soluble phosphates" and "percentage of insoluble phosphates," are used in statements of equivalents, they shall be taken to mean respectively the percentage of tribasic phosphate of lime which has been and that which has not been rendered soluble in water.

Interpretation.

26.—(1) In this Act, unless the context otherwise requires—

The expression "Minister" means the Minister of Agriculture and Fisheries:

The expression "purchaser" includes any person other than a carrying agent acting on behalf of a purchaser:

The expression "inspector" includes an inspector appointed by the Minister or an inspector appointed by the council of a county or county borough:

The expression "Government Chemist" means the head of the department of the Government Chemist, and shall include any deputy government chemist appointed to act in the case of illness, incapacity, or absence of the Government Chemist, or pending the appointment of the Government Chemist, to act in his place:

The expression "cattle" means bulls, cows, oxen, heifers, calves, sheep, goats and swine.

(2) An article consigned to a purchaser shall not for the purposes of this Act be deemed to be delivered to him until it arrives at the place to which it is consigned whether the consignment is by direction of the seller or the purchaser.

(3) Where an article is delivered to a purchaser in two or more consignments, this Act shall apply to each consignment as though it were a separate article.

(4) Where the method of analysis for determining the amount of any substance contained in an article is prescribed under this Act, any statement in any statutory statement or document which by virtue of this Act takes effect as a warranty and any mark on an article or entry in a register under this Act stating or indicating the amount of such substance shall be taken to be a statement of the amount of the substance as determined by analysis in accordance with the method so prescribed.

(5) Particulars as to the nature, substance, or quality of an article marked or indicated by a mark or entered in a register shall not for the purposes of this Act be deemed to be false to the prejudice of the purchaser if the mis-statement as respects any ingredient does not exceed the limits of variation (if any) prescribed under this Act in relation thereto.

Application to City and Port of London.

27. This Act shall apply to the Port of London and the City of London subject to the following modifications:—

(*a*) The sanitary authority of the Port of London as regards the district of that authority, and the Common Council of the City of London as regards the City of London, shall, to the exclusion of any other council, perform and exercise the duties and powers by this Act imposed and conferred on councils of counties and county boroughs:

(*b*) The expenses of the Port of London sanitary authority and the Common Council incurred in the execution of this Act (including any expenditure incurred in the purchase of articles for the purpose of enforcing the provisions of this Act) shall be defrayed out of the general rate of the City of London.

28.—(1) This Act shall apply to Scotland subject to the following modifications:— Application to Scotland.

(*a*) References to the Minister shall, except in the provisions of this Act relating to joint action by the Minister and the Board of Agriculture for Scotland, be construed as references to the Board of Agriculture for Scotland:

(*b*) The powers and duties of councils of counties and county boroughs under this Act shall be exerciseable and performed by the local authorities under the Diseases of Animals Act, 1894, and the expenses incurred under this Act by such local authorities shall be defrayed out of a rate to be levied, ascertained, fixed, and paid in like manner as the local rate under that Act: 57 & 58 Vict. c. 57.

(*c*) Such local authorities as aforesaid shall have the like power to appoint a joint committee for any purpose of this Act as is conferred by section seventy-six of the Local Government (Scotland) Act, 1889, on county and town councils for any purpose of that Act, and the provisions of the said section shall apply accordingly, and a reference to the Local Government Act, 1888, shall be construed as a reference to the provisions of the said Act of 1889 as so applied: 52 & 53 Vict. c. 50. 51 & 52 Vict. c. 41.

(*d*) Subsections (1) and (4) of section twenty and subsection (3) of section twenty-one shall not apply.

Provided that—

(i) no proceedings shall be brought in respect of causing or permitting any name, mark or particulars (except particulars which are not required to be contained in a statutory statement) to be false or in respect of failure to include in the particulars marked or indicated by a mark or entered in a register or written on a label any particulars which are required by this Act to be contained in the statutory statement or in respect of the presence in a feeding stuff of any deleterious ingredient until the part of the sample retained by the agricultural analyst has been analysed and a certificate of analysis given by the Government Chemist; and

(ii) in any prosecution to which subsection (3) of section twenty of this Act applies there shall be served with the complaint a copy of any certificate of the agricultural analyst obtained on behalf of the prosecution.

Application to Northern Ireland.

29.—(1) This Act shall apply to Northern Ireland subject to the following modifications:—

(*a*) The regulations made by the Minister and the Board of Agriculture for Scotland shall apply to Great Britain only:

(*b*) References to the Minister, and to the Minister and the Board of Agriculture for Scotland acting jointly shall be construed as references to the Ministry of Agriculture for Northern Ireland: Provided that the Ministry of Agriculture for Northern Ireland in lieu of appointing a separate advisory committee may, in making regulations to be laid before the Parliament of Northern Ireland, act on the advice of the advisory committee appointed for Great Britain:

(*c*) References to the Treasury shall be construed as references to the Ministry of Finance for Northern Ireland:

(*d*) References to the Government Chemist shall be construed as references to the Chief Agricultural Analyst for Northern Ireland:

(*e*) The reference to the Local Government Act, 1888, shall be construed as a reference to article thirty-eight of the schedule to the Local Government (Application of Enactments) Order, 1898:

(*f*) The expenses of a council incurred in the execution of this Act shall be defrayed, in the case of a county council, out of the county fund as a county at large charge, and, in the case of a county borough council, out of any rate or fund applicable to the purposes of the Public Health (Ireland) Acts, 1878 to 1918:

(*g*) References to Parliament and to His Majesty shall be construed respectively as references to the Parliament and to the Governor of Northern Ireland, and the reference to twenty-one days, occurring in relation to regulations laid before Parliament, shall be construed as a reference to the period prescribed by subsection (1) of section 4 of the Rules Publication Act (Northern Ireland), 1925.

(2) For the purpose of section six of the Government of Ireland Act, 1920, this Act, in its application to Northern Ireland, shall be treated as if it had been an Act passed before the appointed day for the commencement of that section.

10 & 11 Geo. 5. c. 67.

30.—(1) This Act may be cited as the Fertilisers and Feeding Stuffs Act, 1926.

Short title, commencement, repeal and extent.

(2) This Act shall come into operation on such day not earlier than the first day of July nineteen hundred and twenty-seven as may be appointed for the purpose by the Minister and the Board of Agriculture for Scotland jointly.

(3) The Fertilisers and Feeding Stuffs Act, 1906, is hereby repealed:

6 Edw. 7. c. 27.

Provided that nothing in this repeal shall affect any appointment made under that Act, but any such appointment shall have effect as if made under this Act.

SCHEDULES.

Sections 1, 2, 3, 4, 5, 8, 10, 12.

FIRST SCHEDULE.

ARTICLES TO WHICH ALL THE PROVISIONS OF THE ACT ARE APPLICABLE.

PART I.

FERTILISERS.

Article.	Particulars to be contained in Statutory Statement.
Basic slag - - - -	Amount of phosphoric acid. Amount of the article that will pass through a prescribed sieve.
Basic superphosphate - -	Amount of phosphoric acid.
Bone meal, or other product (excluding dissolved or vitriolised bone) obtained by grinding or otherwise treating bone, used for fertilising purposes.	Amounts of nitrogen and phosphoric acid respectively.
Calcium cyanamide - - -	Amount of nitrogen. Amount of dicyandiamide if in excess of 2 per cent.
Compound fertilisers, that is to say, mixtures of any article or of two or more articles mentioned in this Part of this Schedule or in Part I. of the Second Schedule with any other such article or articles or with any other substance.	Amounts of nitrogen, potash, soluble phosphoric acid and insoluble phosphoric acid respectively.
Dissolved or vitriolised bone -	Amounts of nitrogen, soluble phosphoric acid and insoluble phosphoric acid respectively.
Fish residues or other product obtained by drying and grinding or otherwise treating fish or fish waste, used for fertilising purposes.	Amounts of nitrogen and phosphoric acid respectively.

Article.	Particulars to be contained in Statutory Statement.
Guano, including Peruvian and other raw guanos.	Amounts of nitrogen, phosphoric acid and potash respectively.
Hoofs - - - - -	Amount of nitrogen.
Hoofs and horns - - -	Amount of nitrogen.
Horns - - - - -	Amount of nitrogen.
Meat and bone residues, or any product not specifically mentioned elsewhere in this Part of this Schedule obtained by drying and grinding or otherwise treating, bone, flesh, flesh fibre (including whale meat) and other slaughterhouse residues, used for fertilising purposes.	Amounts of nitrogen and phosphoric acid respectively.
Nitrate of lime - - -	Amount of nitrogen.
Nitrate of soda - - -	Amount of nitrogen.
Oil seed fertilisers, including castor meal, mowrah meal, rape meal, or any residue which is obtained by the removal of oil from seeds.	Amount of nitrogen.
Potassium salts used as fertilisers, including kainit, extra kainit, sylvinite, potash manure salt, muriate of potash, sulphate of potash and sulphate of potash-magnesia.	Amount of potash.
Raw phosphate or phosphate rock, ground or unground.	Amount of phosphoric acid. Amount that will pass through a prescribed sieve.
Sulphate of ammonia - -	Amount of nitrogen and amount of free acid.
Sulphate of ammonia (neutral)	Amount of nitrogen.
Superphosphate - - -	Amount of soluble phosphoric acid.

The provisions of this Part of this Schedule shall apply to any article described therein under whatever name it may be sold or offered for sale and notwithstanding that it contains a substance not mentioned in this Part of this Schedule.

Amounts are to be stated as percentages of the weight of the article.

Nitrogen is to be stated in terms of nitrogen.

1st Sch. —*cont.*

Phosphoric acid, soluble phosphoric acid and insoluble phosphoric acid are to be stated in terms of phosphoric anhydride (P_2O_5).

Potash is to be stated in terms of potassium oxide (K_2O).

Free acid is to be stated in terms of sulphuric acid (H_2SO_4).

PART II.

FEEDING STUFFS.

Article.	Particulars to be contained in Statutory Statement.
Barley meal - - - -	None.
Bean meal - - - -	None.
Cocoanut or copra cake or meal	Amounts of oil and albuminoids (protein) respectively.
Compound cakes or meals, that is to say, any cakes or meals (other than molasses feeds) consisting of a mixture of any article or of two or more articles mentioned in this Part of this schedule or in Part II. of the Second Schedule with any other such article or articles or with any other substance, or any cakes or meals produced by grinding, crushing, or otherwise treating together, or by mixing together after being separately crushed, ground or otherwise separately treated, any two or more raw materials out of which such articles are produced, or any one or more of such materials with any other substance or substances.	Amounts of oil, albuminoids (protein) and fibre respectively.
Cotton cakes or meals, not decorticated.	Amounts of oil and albuminoids (protein) respectively.
Cotton cakes or meals from decorticated or partly decorticated cotton seed.	Amounts of oil, albuminoids (protein) and fibre respectively.
Dari or durra meal - - -	None.
Dried sugar beet residue - -	Amounts of sugar and fibre respectively.
Feeding bone flour, or any other bone product for feeding purposes.	Amounts of phosphoric acid and albuminoids (protein) respectively.

1st Sch. —*cont.*

Article.	Particulars to be contained in Statutory Statement.
Feeding meat and bone meal, or any other product of meat (including whale meat) and bone for feeding purposes.	Amounts of oil albuminoids (protein) and phosphoric acid respectively.
Feeding meat meal, or any other product of meat (including whale meat) for feeding purposes.	Amounts of oil and albuminoids (protein) respectively.
Fish meal, or other product obtained by drying and grinding or otherwise treating fish or fish waste.	Amounts of albuminoids (protein), phosphoric acid, oil and salt respectively.
Ground oats - - - -	None.
Linseed cakes and the meals of such cakes.	Amounts of oil and albuminoids (protein) respectively.
Linseed meal - - - -	Amount of oil.
Locust bean meal - - -	None.
Maize by-products not otherwise specifically mentioned in this schedule.	Amounts of oil, albuminoids (protein) and fibre respectively.
Maize germ cake or meal -	Amounts of oil and albuminoids (protein) respectively.
Maize gluten feed - - -	Amounts of oil and albuminoids (protein) respectively.
Maize meal; Indian meal -	None.
Molasses feeds, including any feeding stuffs, composed of treacle or molasses with an absorbent, containing not less than 10 per cent. of sugar.	Amounts of sugar and fibre respectively.
Oil cakes or meals not otherwise specifically mentioned in this schedule which are the product of any one undecorticated substance or seed from which oil has been removed.	Amounts of oil and albuminoids (protein) respectively.
Oil cakes or meals not otherwise specifically mentioned in this schedule which are the product of any one decorticated or partly decorticated substance or seed from which oil has been removed.	Amounts of oil, albuminoids (protein) and fibre respectively.
Palm kernel cake or meal -	Amounts of oil and albuminoids (protein) respectively.
Pea meal - - - -	None.

1st Sch. —*cont.*

Article.	Particulars to be contained in Statutory Statement.
Rape cake or meal - - -	Amounts of oil and albuminoids (protein) respectively.
Rice bran or rice meal, or the by-product produced in milling shelled rice.	Amounts of oil, albuminoids (protein) and fibre respectively.
Soya cake or meal - - -	Amounts of oil and albuminoids (protein) respectively.
Treacle or molasses - -	Amount of sugar.
Wheat meal - - - -	None.
Wheat offals, or millers' offals -	Amount of fibre.

The provisions of this Part of this Schedule shall apply to any article described therein under whatever name it may be sold or offered for sale and notwithstanding that it contains a substance not mentioned in this Part of this Schedule.

Amounts are to be stated as percentages of the weight of the article.

Phosphoric acid is to be stated in terms of phosphoric anhydride (P_2O_5).

Amount of albuminoids (protein) means the amount of nitrogen, other than ammoniacal or nitric nitrogen, if present, multiplied by 6·25.

Wherever albuminoids are stated in accordance with the provisions of this Part of this Schedule the word "albuminoids" is to be followed by the expression "(protein)".

Sections 1, 2, 3, 12.

SECOND SCHEDULE.

ARTICLES TO WHICH SOME ONLY OF THE PROVISIONS OF THE ACT ARE APPLICABLE.

PART I.

FERTILISERS.

Article.	Particulars to be contained in Statutory Statement.
Calcium hydrate; slaked lime -	Amount of calcium hydrate and equivalent of calcium oxide.
Chalk, ground - - -	Amount of calcium carbonate and equivalent of calcium oxide.

Article.	Particulars to be contained in Statutory Statement.
Dried blood for fertilising purposes.	Amount of nitrogen.
Limestone, ground - - -	Amount of calcium carbonate and equivalent of calcium oxide. Amount that will pass through a prescribed sieve.
Precipitated bone - - -	Amount of phosphoric acid.
Quick lime, ground or otherwise.	Amount of calcium oxide.
Shoddy - - - - -	None.

The provisions of this Part of this Schedule shall apply to any article described therein under whatever name it may be sold or offered for sale, and notwithstanding that it contains a substance not mentioned in this Part of this Schedule.

Amounts are to be stated as percentages of the weight of the article.

Nitrogen is to be stated in terms of nitrogen.

Phosphoric acid is to be stated in terms of phosphoric anhydride (P_2O_5).

Calcium carbonate is to be stated in terms of calcium carbonate ($CaCO_3$).

Calcium hydrate is to be stated in terms of calcium hydrate ($Ca(HO)_2$).

Calcium oxide is to be stated in terms of calcium oxide (CaO).

Part II.

Feeding Stuffs.

Article.	Particulars to be contained in Statutory Statement.
Clover meal - - - -	Amount of fibre.
Dried brewery and distillery grains.	Amounts of oil and albuminoids (protein) respectively.
Dried yeast - - - -	Amount of albuminoids (protein).
Feeding dried blood - -	Amount of albuminoids (protein).
Malt culms - - - -	Amounts of albuminoids (protein) and fibre respectively.

2ND SCH. —*cont.*

The provisions of this Part of this Schedule shall apply to any article described therein under whatever name it may be sold or offered for sale and notwithstanding that it contains a substance not mentioned in this Part of this Schedule.

Amounts are to be stated as percentages of the weight of the article.

Amount of albuminoids (protein) means the amount of nitrogen, other than ammoniacal or nitric nitrogen, if present, multiplied by 6·25.

Wherever albuminoids are stated in accordance with the provisions of this Part of this Schedule the word "albuminoids" is to be followed by the expression "(protein)".

Sections 1, 2, 20.

THIRD SCHEDULE.

INGREDIENTS IN FEEDING STUFFS THE PRESENCE OF WHICH MUST BE DECLARED.

(*a*) Husks, chaff, glumes, shudes, hulls, nutshells or skins of nuts, from any source, when used as separate ingredients or artificial mixtures in the manufacture of feeding stuffs.

Where the kernels naturally associated in seeds with one or other of the above materials are present in a feeding stuff along with the materials with which they are so associated, regard shall be had to the proportion of the above materials that might reasonably be expected to accompany such kernels when the seed from which they are derived is in its natural condition, provided that feeding in this condition is regarded as a common practice in the feeding of livestock.

(*b*) Wheat or rye straw, ground or otherwise.

(*c*) Peat or peat moss, treated or untreated.

(*d*) Sawdust or any other form of wood, treated or untreated.

FOURTH SCHEDULE.

Section 2.

Definitions implied on the Sale of Articles under certain Names.

Part I.

Fertilisers.

Name under which Article sold.	Implied Definition.
Basic slag - - -	A by-product, containing phosphorus, obtained in the manufacture of steel and to which no addition has been made at the time of leaving or after it has left the furnace.
Basic superphosphate -	A non-acid phosphate produced by mixing lime with superphosphate of lime and to which no other matter has been added.
Bone meal - - -	Commercially pure bone, raw or degreased, which has been ground or crushed.
Calcium cyanamide -	Commercial calcium cyanamide.
Calcium hydrate; slaked lime.	Commercial hydrate of lime.
Castor meal - - -	The residue which is obtained by the removal of oil from commercially pure castor seed.
Chalk, ground - -	The product obtained by grinding cretaceous limestone, to which no other matter has been added.
Compound fertilisers -	Mixtures of any article or of two or more articles mentioned in Part I. of the First Schedule or in Part I. of the Second Schedule with any other such article or articles or with any other substance.
Dissolved or vitriolised bone.	Commercially pure bone which has been treated with sulphuric acid.
Dried blood manure -	Blood which has been dried, to which no other matter has been added.
Fish guano; fish manure	A product obtained by drying and grinding or otherwise treating fish or fish waste, to which no other matter has been added.

4th Sch. —*cont.*

Name under which Article sold.	Implied Definition.
Hoofs	The product obtained by crushing or grinding hoof, to which no other matter has been added.
Hoofs and horns	A mixture of hoof and horn, crushed or ground, to which no other matter has been added.
Horns	The product obtained by crushing or grinding horn, to which no other matter has been added.
Limestone, ground	The product obtained by grinding sedimentary rock consisting largely of carbonate of lime, to which no other matter has been added.
Meat and bone manure; meat meal; carcase meal.	The product of drying and grinding or otherwise treating bone, flesh, flesh fibre (including whale meat) and other slaughter-house residues, to which no other matter has been added.
Mowrah meal	The residue which is obtained by the removal of oil from commercially pure mowrah seed.
Muriate of potash	Potassium chloride for fertilising purposes.
Nitrate of lime	Calcium nitrate for fertilising purposes.
Nitrate of soda	Sodium nitrate for fertilising purposes.
Precipitated bone	An insoluble calcium phosphate prepared by treating commercially pure bone with acid, and precipitation of phosphate from the solution.
Quicklime, ground or otherwise.	Commercial calcium oxide.
Rape meal	The residue which is obtained by the removal of oil from commercially pure rape seed.
Raw guano	The excrement and remains of birds, containing both nitrogen and phosphorus, prepared for use by screening where necessary, but to which no addition has been made.
Raw phosphate or phosphate rock, ground or otherwise.	The substance obtained from mineral calcium phosphate deposits, to which no other matter has been added.

Name under which Article sold.	Implied Definition.
Shoddy manure; wool waste; wool combings; wool manure; flock dust.	Waste of wool, or of wool mixed with fibrous materials such as are associated with wool in the textile industries, to which no other matter has been added.
Steamed bone flour; steamed bone meal.	Commercially pure bone from which nitrogen has been removed by steam.
Sulphate of ammonia -	Ammonium sulphate for fertilising purposes.
Sulphate of ammonia (neutral).	Ammonium sulphate for fertilising purposes, containing not more than 0·025 per cent. of free acid in terms of sulphuric acid.
Sulphate of potash -	Potassium sulphate for fertilising purposes.
Superphosphate - -	A mineral substance containing soluble phosphate of lime.

Part II.

Feeding Stuffs.

Barley meal - - -	The meal obtained by grinding commercially pure barley, as grown.
Bean meal - - -	The meal obtained by grinding commercially pure beans of the species faba vulgaris or phaseolus vulgaris, as grown.
Clover meal - - -	Whole clover, as grown, dried and ground, to which no other matter has been added.
Compound cakes or meals	Cakes or meals (other than molasses feeds) consisting of a mixture of any article or of two or more articles mentioned in Part II of the First Schedule or in Part II of the Second Schedule with any other such article or articles or with any other substance, or any cakes or meals produced by grinding, crushing or otherwise treating together, or by mixing together after being separately crushed, ground or otherwise separately treated, any two or more raw materials out of which such articles are produced or any one or more of such materials with any other substance or substances.

4TH SCH. —*cont.*

Name under which Article sold.	Implied Definition.
Cotton cakes or meals not decorticated.	The residue resulting from the removal of oil from commercially pure cotton seed, not decorticated.
Cotton cakes or meals from decorticated or partly decorticated cotton seed.	The residue resulting from the removal of oil from commercially pure cotton seed from which the cortex, in whole or in part, has been removed.
Dari meal; durra meal -	The meal obtained by grinding commercially pure dari or durra seed.
Dried brewery grains -	The article produced by drying the residue of malted and unmalted cereals used in brewing, to which no other matter has been added.
Dried distillery grains -	The article produced by drying the residues from distillery mash-tuns, to which no other matter has been added.
Dried sugar beet residue	The article produced by drying the sugar beet residue produced in the manufacture of sugar from sugar beet.
Dried yeast - - -	An article produced by drying yeast or yeast residues, to which no other matter has been added.
Feeding bone flour -	The product obtained by grinding commercially pure steamed bone.
Feeding dried blood -	Blood which has been dried, to which no other matter has been added.
Feeding meat and bone meal.	The product (containing not more than 4 per cent. of salt) of grinding bone, flesh and flesh fibre (including whale meat), to which no other matter has been added.
Feeding meat meal -	The product (containing not more than 4 per cent. of salt) of drying and grinding flesh and flesh fibre (including whale meat), to which no other matter has been added.
Fish meal; fish residue meal.	A product obtained by drying and grinding or otherwise treating waste of fish, to which no other matter has been added.
Ground bone - -	The meal obtained by grinding commercially pure bone.

Name under which Article sold.	Implied Definition.
Ground oats - -	The meal obtained by grinding commercially pure oats, as grown.
Linseed cakes or the meals of such cakes.	The residue resulting from the removal of oil from commercially pure linseed.
Linseed meal - -	The meal obtained by grinding or crushing commercially pure linseed.
Locust bean meal -	The meal obtained by grinding or crushing commercially pure locust beans.
Maize germ cake or meal	The residue resulting from the removal of oil from maize germs, to which no other matter has been added.
Maize gluten feed -	A by-product resulting from the removal of starch and germ from maize, to which no other matter has been added.
Maize meal; Indian meal	The meal obtained by grinding commercially pure maize or Indian corn, as grown.
Malt culms - - -	The rootlets and shoots arising from the screening of malt, to which no other matter has been added.
Molasses feeds - -	Any mixture, containing not less than 10 per cent. of sugar, of an absorbent material and treacle or molasses.
Nut cakes or meals, including cocoanut, copra, palm kernel and ground nut cakes and meals.	The residue resulting from the removal of oil from commercially pure nut kernels.
Pea meal - - -	The meal obtained by grinding commercially pure peas, as grown.
Rape cake or meal -	The residue resulting from the removal of oil from commercially pure rape seed.
Rice bran; rice meal -	The by-product produced in milling shelled rice, to which no other matter has been added.
Soya cake or meal -	The residue resulting from the removal of oil from commercially pure soya beans.
Sugar beet treacle; sugar beet molasses.	A concentrated syrup product obtained in the manufacture of sugar from sugar beet, to which no other matter has been added.

4TH SCH. —*cont.*

Name under which Article sold.	Implied Definition.
Sugar cane treacle; sugar cane molasses.	A concentrated syrup product obtained in the manufacture of sugar from sugar cane, to which no other matter has been added.
Wheat meal - - -	The meal obtained by grinding commercially pure wheat, as grown.
Wheat offals; millers' offals.	A product of wheat separated in the process of milling and containing not more than 4 per cent. of vegetable substances, other than wheat, extracted from wheat in the process of cleaning by the maker of the offals in the production of flour.
White fish meal - -	A product (containing not more than 6 per cent. of oil and not more than 4 per cent. of salt) obtained by drying and grinding or otherwise treating waste of white fish, and to which no other matter has been added.

In the case of every article mentioned in this Schedule the definition of which includes the expression " commercially pure " it is implied that no other matter may be added.

Section 7.

FIFTH SCHEDULE.

DELETERIOUS INGREDIENTS IN FEEDING STUFFS.

(*a*) Salts soluble in water, if present in a feeding stuff in proportion likely to be injurious to the health of animals.

(*b*) All poisonous substances except those naturally present in the material or materials from which the feeding stuff is derived.

(*c*) Sand, silicious matter or other insoluble mineral matter not naturally associated with ingredients of the feeding stuff which do not fall within the scope of this Schedule, or which, even if naturally so associated, are present in greater proportion than the maximum that may be expected to be due to such natural association.

For the purposes of this paragraph the term "insoluble" shall imply insolubility in hydrochloric acid, as determined by a prescribed method; the term "natural association" shall be construed as applying to average commercial samples of the feeding material with which it may be claimed that a particular mineral ingredient is associated.

5th Sch. —*cont.*

CHAPTER 46.

An Act to make further provision with respect to the University of London.

[15th December 1926.]

WHEREAS a Departmental Committee appointed by a Minute of the Board of Education dated the eighth day of October, nineteen hundred and twenty-four, to consider the Final Report of the Royal Commission on University Education in London dated the twenty-seventh day of March, nineteen hundred and thirteen, and, having regard to the present circumstances and after consultation with the persons and bodies concerned, to indicate what are the principal changes now most needed in the existing constitution of the University of London and on what basis a Statutory Commission should be set up to frame new statutes for the University, has in its Report (in this Act referred to as "the Report of the Committee") made recommendations with respect to the matters aforesaid and in particular has recommended that Statutory Commissioners should be appointed to make new statutes for the University in accordance with the recommendations in the said Report:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Appointment of

1.—(1) There shall be a body of Commissioners to be styled "The University of London Commissioners,"

Commissioners.

consisting, in the first instance, of the following persons, namely :—

The Hon. Mr. Justice Tomlin, Master of Arts, Bachelor of Civil Law ;

Sir Lewis Amherst Selby-Bigge, Bart., K.C.B., Master of Arts ;

Sir Cyril Stephen Cobb, K.B.E., M.V.O., Master of Arts, Bachelor of Civil Law, Member of Parliament ;

Sir Josiah Charles Stamp, G.B.E., Doctor of Science, Fellow of the Royal Statistical Society ;

Sir Edwin Cooper Perry, Doctor of Medicine, Fellow of the Royal College of Physicians ;

Alexander Dunlop Lindsay, Esquire, C.B.E., Master of Arts, Honorary Doctor of Laws, Master of Balliol College, Oxford ;

Bertha Surtees Phillpotts, O.B.E., Doctor of Letters ; and

Thomas Percy Nunn, Esquire, Doctor of Science, Professor of Education in the University of London.

(2) If and whenever a vacancy occurs among the Commissioners, His Majesty may by Order in Council appoint a person to fill the vacancy, but every such Order shall be laid before both Houses of Parliament, within ten days after it is made if Parliament be then sitting, or, if not, then within ten days after the next sitting of Parliament.

(3) The Commissioners may, with the consent of the Treasury as to number, employ such persons as they may think necessary for the execution of their duties under this Act.

Expenses of Commission.

2. There shall be paid to any person employed by the Commissioners such remuneration as the Treasury may determine, and all expenses incurred by the Commissioners in the execution of this Act (including the remuneration aforesaid) shall, up to an amount approved by the Treasury, be paid out of moneys provided by Parliament.

Duration and proceedings of Commissioners.

3.—(1) Subject as hereinafter provided, the powers of the Commissioners shall continue in force until the end of the year nineteen hundred and twenty-seven and no longer :

Provided that His Majesty in Council may, on the application of the Commissioners, continue their powers for such further period as His Majesty may think fit, but not beyond the end of the year nineteen hundred and twenty-eight.

(2) The Commissioner first named in this Act shall be the chairman of the Commissioners, and in case of his ceasing from any cause to be a Commissioner or of his absence from any meeting, the Commissioners present at each meeting shall choose a chairman.

(3) The powers of the Commissioners may be exercised at a meeting at which three or more Commissioners are present.

(4) In case of an equality of votes on a question at a meeting, the chairman of the meeting shall have a second or casting vote in respect of that question.

(5) The Commissioners shall have a common seal which shall be judicially noticed.

(6) Any act of the Commissioners shall not be invalid by reason only of any vacancy in their number, but if at any time and so long as the number of persons acting as Commissioners is less than four, the Commissioners shall discontinue the exercise of their powers.

Powers and duties of Commissioners.

4.—(1) Subject to the provisions of this Act, the Commissioners shall make statutes for the University of London (in this Act referred to as "the University"), in general accordance with the recommendations contained in the Report of the Committee, subject to any modifications which may appear to them to be expedient, and, so far as may be necessary for giving effect to any of the said recommendations, the Commissioners may, subject as hereinafter provided, make statutes for any school of the University, or for any other college, school, or institution for the purpose of enabling it to become a school of the University:

Provided that no statute, not being a statute for the University, shall be made under this Act for any school of the University, or for any other college, school, or institution, except with the consent of the governing body thereof, and, in the case of a statute altering any trust, with the consent of the trustees or governing body of the trust.

(2) The Commissioners shall, before adopting any final resolution for the making of a statute under this Act, take such steps as are in their opinion best adapted for facilitating the making of representations with respect to the proposed statute, and shall, in particular, consider any representations made to them by or on behalf of the Senate or Convocation or any fifty graduates of the University, or by or on behalf of any other bodies or persons appearing to the Commissioners to be directly affected by the proposed statute.

(3) If representations with respect to any proposed statutes are made to the Commissioners by the governing body of any college, school or institution which is at the commencement of this Act a school of the University in the Faculty of Theology, objecting to any alteration which would be necessitated by the making of the statute in the constitution of the college, school or institution, or in respect of the appointment of teachers therein or the financial administration thereof, the proposed statute shall, unless the objection be withdrawn, be modified so as not to necessitate the alteration objected to.

(4) The Commissioners shall have power to take such evidence as they may think necessary for the exercise of their powers and for the performance of their duties under this Act.

Approval and effect of statutes.

5.—(1) No statute or part of a statute made under this Act shall have effect until it has been approved by His Majesty in Council, but every statute or part of a statute so approved shall, subject to the provisions of this Act, have effect notwithstanding anything in any Act of Parliament, charter, deed, or other instrument whatsoever.

(2) The provisions contained in the Schedule to this Act shall have effect with respect to the submission of statutes made under this Act for the approval of His Majesty in Council and with respect to statutes so submitted.

Power to amend and supplement statutes.

6.—(1) Statutes made by the Commissioners shall make provision enabling the University to alter or supplement after the cesser of the powers of the Commissioners any statutes made by them or by any other authority, except statutes made under this section.

(2) The provisions contained in this Act with respect to the making of statutes by the Commissioners and to the proceedings to be taken after the making thereof in connection with statutes made by the Commissioners, and, subject as may be provided by any statutes made by the Commissioners, to the effect thereof after approval shall, with the necessary substitutions, apply to the making of statutes by the University and to the proceedings to be taken in connection with statutes made by the University, and, subject as aforesaid, to the effect of, such statutes.

Provisions as to incorporation of colleges and schools in the University.

7.—(1) No statute made under this Act shall alter the incorporation in the University of the colleges known respectively as University of London, University College, and University of London, King's College, or the vesting, disposition, or management of any emoluments, endowments, trusts, foundations, gifts, offices, or institutions in or connected with either of those colleges so far as those matters are or have been regulated respectively by or under the University College, London (Transfer) Act, 1905, or the King's College, London (Transfer) Act, 1908, and no such statute shall provide for the incorporation in the University of any school of the University or other college, school, or institution; but if at any time it is agreed between the University and the governing body of either of the first mentioned colleges that it is expedient that as respects that college any such alteration as aforesaid should be made, or if at any time it is agreed between the University and the governing body of any school of the University or other college, school or institution that it is expedient that provision should be made for the incorporation thereof in the University, then, in any such case, it shall be lawful for the University and the governing body jointly to make application to His Majesty in Council for a charter in that behalf, and any charter which His Majesty in Council is pleased to grant upon any such application shall have full effect notwithstanding anything in any Act of Parliament or in any previous charter, deed, or other instrument whatsoever.

5 Edw. 7. c. xci.
8 Edw. 7. c. xxxix.

(2) The provisions of the College Charter Act, 1871, shall apply with respect to any application for a charter made under this section as if it were an application for a charter for the foundation of a college or university.

34 & 35 Vict. c. 63.

(3) Notwithstanding anything in the foregoing provisions of this section, statutes made under this Act may make such modifications in the said University College, London (Transfer) Act, 1905, and King's College, London (Transfer) Act, 1908, as may be necessary for adapting those Acts to any change made under this Act in the constitution or management of the University.

Provisions as to appointment by Crown of members of a council of the University.

8. Whenever there occurs among the members of a council of the University a vacancy which is in accordance with statutes made under this Act to be filled by a person appointed by the Crown, the vacancy shall be filled by a person appointed by His Majesty in Council, and before any draft Order in Council is submitted to His Majesty for that purpose sufficient opportunity to submit recommendations in regard to the appointment shall be given to such persons or bodies representative of the University as may be designated in that behalf by statutes made under this Act.

Short title and interpretation.

9.—(1) This Act may be cited as the University of London Act, 1926.

(2) In this Act the expression "governing body" means in relation to the colleges known as University of London, University College, and University of London, King's College, the College Committee and the Delegacy of those colleges respectively.

Section 5.

SCHEDULE.

PROVISIONS WITH RESPECT TO THE SUBMISSION OF STATUTES FOR THE APPROVAL OF HIS MAJESTY IN COUNCIL AND WITH RESPECT TO STATUTES SO SUBMITTED.

1. The Commissioners within one month after making a statute shall cause it to be submitted to His Majesty in Council, and notice of it having been so submitted and of the place where copies of it can be obtained shall be published in the London Gazette (in this Act referred to as the gazetting of a statute), and if after a statute has been so gazetted the powers of the

Commissioners under this Act cease to be in force, the cesser of the powers of the Commissioners shall not affect the subsequent proceedings under this Act respecting the statute.

2. At any time within eight weeks (exclusive of any University vacation) after the gazetting of a statute the Senate or Convocation of the University, or any other person or body directly affected by the statute may petition His Majesty in Council for disallowance of the statute or of any part thereof.

3.—(1) It shall be lawful for His Majesty in Council to refer any statute petitioned against under this Act to a committee of the Privy Council with a direction that the committee hear the petitioner personally or by counsel and report specially to His Majesty in Council on the matter of the petition.

(2) The costs of any such petition as aforesaid may be regulated by the committee to which the petition is referred, and any order of the committee respecting costs shall be enforceable as if it were an order made in proceedings in the Supreme Court.

4. Subject as hereinafter provided, every statute made under this Act shall be laid before both Houses of Parliament as soon as may be after the expiration of the time for petitioning against it, or, in the case of a statute referred under this Act to a committee of the Privy Council, as soon as may be after the report of the committee thereon, and if either House within four weeks (exclusive of any period of prorogation) after a statute has been laid before it presents an Address praying His Majesty to withhold his approval from a statute or any part thereof no further proceedings shall be taken on the statute or on the part thereof to which the Address relates, but this provision shall be without prejudice to the making of a new statute:

Provided that, if His Majesty, on the report of a committee of the Privy Council, declares his disapproval of any statute, it shall not be necessary to lay that statute before Parliament, and if His Majesty so declares his disapproval of a part only of any statute, that part may be omitted from the statute as laid before Parliament.

5. His Majesty's approval or disapproval of any statute or of any part of a statute made under this Act may be declared by Order in Council, and any such disapproval shall be without prejudice to the making of a new statute.

CHAPTER 47.

An Act to amend the law with respect to rating in Scotland, and for purposes incidental thereto or connected therewith.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Town and county councils to be rating authorities for parish and education rates.

1. The parish rates and the education rate shall cease to be levied, collected and recovered by parish councils and, subject to and in accordance with the provisions of this Act, shall be levied, collected and recovered by the town council of the burgh and the county council of the county, as the case may be, and the town council and the county council shall be the rating authorities for the burgh and for the county respectively for the purposes of the parish rates and the education rate, but nothing in this Act shall affect the right of a parish council to recover rates levied by the council before the commencement of this Act.

Provisions as to parish rates.

2.—(1) Every parish council shall annually ascertain the amount required for the purposes of their powers and duties under the Acts of Parliament administered by them in the case of each of the parish rates applicable to the expenditure for those purposes, subject, in the case of the amount required by a parish council acting as a district board of control, to the approval of the amount by the General Board of Control for Scotland, and where a parish is within the areas of two or more rating authorities the parish council shall, so far as necessary for the purposes of any of the said rates, apportion and allocate the amount required among the rating authorities according to the rateable valuations in the valuation roll of their respective areas so far as within the parish, except in the case of the first year after the commencement of this Act in which case the apportionment shall be according to the gross annual valuations in the valuation roll; and the parish council shall annually, on or before the fifteenth day of July, certify to the rating authority the amount required to be provided by that authority in the case of each parish rate.

(2) The rating authority shall, subject to any statutory limit applicable and to the provisions of this Act, levy, under the name of the rate appropriate in the case and within the area to which it relates, a rate of such amount as is necessary to meet the amount specified in the certificate, and shall collect and recover the rate and, from time to time as they collect it, and at such intervals as the rating authority and the parish council may agree, and, failing agreement, as the Secretary of State, after consultation with the Scottish Board of Health, may determine, pay over to the parish council the amount collected up to the amount specified in the certificate, and so far as the amount specified in the certificate has not been paid over by that time the rating authority shall annually on the first day of May pay over the balance to the parish council, notwithstanding that it has not then been collected.

(3) With respect to each parish rate, any surplus in the hands of the rating authority which may arise in any one year shall be applied for the purposes of the ensuing year and in like manner any deficiency which may occur in any year shall be included in the rate for the ensuing year.

(4) The exemption from payment of the rate for the relief of the poor and of any other rate leviable by reference to the persons liable for that rate possessed and enjoyed by ministers in respect of their manses and glebes shall cease.

Basis of levying poor and certain other rates.
8 & 9 Vict. c. 83.

3.—(1) The rate for the relief of the poor and all other rates leviable in like manner as that rate, whether leviable by parish councils or by any other authority, shall cease to be levied or recovered in accordance with the provisions of the Poor Law (Scotland) Act, 1845, and shall, subject to the provisions of this Act, be levied and recovered by the rating authority in like manner at the same time and under the like powers and provisions (including without prejudice to the said generality the power to grant remission or relief on the ground of poverty or inability to pay and the provision relating to appeals) as, but as separate rates from, the public health general assessment, but the limit, if any, applicable to that assessment shall not apply.

(2) Where under the provisions of any local Act the public health general assessment is not exigible in respect of any lands and heritages, then, notwithstanding anything in this section or in section five of this Act, the rates to which those sections apply shall nevertheless be levied and recovered in respect of such lands and heritages in the same way and to the same effect as if the public health general assessment had been exigible in respect thereof.

Temporary borrowing powers to parish councils.

4.—(1) If a parish council shall find it necessary at any time to make payments in connection with the current annual expenditure for any of the purposes of their powers and duties under the Acts of Parliament administered by them in anticipation of the appropriate rate, it shall be competent for the parish council to borrow by way of temporary loan or overdraft on the security of the appropriate rate for the year then current, or with the consent of the Scottish Board of Health on the security of the appropriate rate for the year immediately following, such sum as the council may consider necessary for the purpose, and when any money has been so borrowed on the security of a rate for any year then, except for the purposes of and in accordance with the provisions of the Poor Law Emergency Provisions (Scotland) Act, 1921, it shall not be competent for the parish council to borrow in connection with current annual expenditure on the security of that rate for any other year until the money borrowed as aforesaid shall have been paid off.

11 & 12 Geo. 5. c. 64

(2) Section eighty-nine of the Poor Law (Scotland) Act, 1845 (which empowers parish councils to borrow money on the security of assessments remaining due), shall cease to have effect.

Provisions as to education rate.

5.—(1) Every education authority shall annually ascertain the amount of the deficiency in the education fund of the education area and

(*a*) in the case of a scheduled burgh shall, on or before the fifteenth day of July, certify to the rating authority of the burgh the amount of such deficiency; and (*b*) in the case of any other education area shall, subject to the proviso to section five of the Education (Scotland) Act, 1918, apportion and allocate the amount of such deficiency among the rating authorities whose areas or parts of whose areas are within the education area according to the rateable valuations in the valuation roll of their respective areas so far as within the education area, except in the case of the first year after the commencement of this Act in which case the apportionment shall be according to the gross annual valuations in the valuation roll, and shall, on or before the date aforesaid, certify to each rating authority the proportion of the deficiency apportioned and allocated to that authority.

8 & 9 Geo. 5. c. 48.

(2) The rating authority shall, subject to the proviso to section five of the Education (Scotland) Act, 1918, and to the provisions of this Act, levy, under the name of the education rate and within the education area to which it relates so far as within the area of the rating authority, a rate of such amount as is necessary to meet the amount specified in the certificate, and shall collect and recover the rate and, from time to time as they collect it and at such intervals as the rating authority and the education authority may agree and, failing agreement, as the Secretary of State, after consultation with the Scottish Education Department, may determine, pay over to the education authority the amount collected up to the amount specified in the certificate, and so far as the amount specified in the certificate has not been paid over by that time, the rating authority shall annually on the first day of May pay over the balance to the education authority, notwithstanding that it has not then been collected.

(3) The education rate shall, subject to the provisions of this Act, be levied and recovered by the rating authority in like manner, at the same time, and under the like powers and provisions (including without prejudice to the said generality the power to grant remission or relief on the ground of poverty or inability to pay and the provision relating to appeals) as, but as a separate rate from and without the limit, if any, applicable to the public health general assessment.

(4) The provisions of this section shall have effect as though they were included in section thirteen of the Education (Scotland) Act, 1918.

Yearly contributions by town councils to education authorities to cease.
35 & 36 Vict. c. 62.

6. The liability of town councils of burghs to make yearly contributions to education authorities out of the common good of the burghs or from other funds under their charge under section forty-six of the Education (Scotland) Act, 1872, shall cease, but the income of any property or money vested in town councils or in the magistrates of burghs for behoof of the burgh schools or for the promotion of any branch of education in such schools or to increase the income of any teacher thereof shall continue to be paid to education authorities in accordance with the said section.

Balances in education rate account of parish councils.

7. Any surplus in the account of a parish council relating to the education rate shall be transferred to the credit of the account of the parish council relating to the poor rate and be applied towards meeting expenditure on the relief of the poor, and any deficiency in the account of a parish council relating to the education rate shall be defrayed in like manner as expenditure on relief of the poor.

Apportionment of expenses of district boards of control, &c.
20 & 21 Vict. c. 71.
40 & 41 Vict. c. 53.
17 & 18 Vict. c. 91.

8.—(1) The apportionment of expenses of a district board of control under section fifty-four of the Lunacy (Scotland) Act, 1857, or under section sixty-two of the Prisons (Scotland) Act, 1877, upon the landward parts of counties and upon the burghs respectively within the district of such a board shall, except in the case of the first year after the commencement of this Act, be according to the rateable valuations in the valuation roll of the lands and heritages within such landward parts of counties and burghs respectively instead of according to the real rent or the total value of the said lands and heritages in terms of the Lands Valuation (Scotland) Act, 1854, and the sums apportioned as aforesaid and the sums apportioned in the case of the first year after the commencement of this Act under the provisions of the said Acts upon the landward parts of the counties and upon the burghs shall annually on or before the fifteenth day of July be certified to the rating authorities of the counties and the burghs respectively.

(2) The rating authority shall as they collect the rate applicable to the expenses of the district board, pay it over to the district board of control up to the amount specified in the certificate, or, where the rate is also applicable to other expenses, pay over to the district board up to the amount aforesaid as they collect the rate the proportion thereof applicable to the expenses of the district board, in either case at such times as the rating authority and the district board may agree and failing agreement as the Secretary of State, after consultation with the General Board of Control for Scotland may determine, and so far as the amount specified in the certificate has not been paid over by that time, the rating authority shall annually on the first day of May pay over the balance to the district board, notwithstanding that it has not then been collected.

(3) Sections fifty-four and fifty-five of the Lunacy (Scotland) Act, 1857, and section sixty-two of the Prisons (Scotland) Act, 1877, shall have effect subject to the provisions of this section.

(4) For the purposes of this section a district board of control shall not include a parish council acting as a district board of control.

Abolition of average rate.
52 & 53 Vict. c. 50.

9. Subsection (4) of section twenty-seven of the Local Government (Scotland) Act, 1889 (which makes provision for payment by owners of the average rate and of a rate sufficient to provide for interest and repayment of certain moneys borrowed before the passing of that Act), shall cease to have effect, and the rates leviable by county councils shall be equally divided between owners and occupiers in accordance with the provisions of subsection (2) of that section.

County councils not to assess in police burghs.

10. A county council shall not levy under the provisions of the Local Government (Scotland) Act, 1889, or of any other public general Act, any rate within any police burgh which, for the purposes of the said Act of 1889 or of any other such Act, is held to be within the county, and the provisions of subsections (3) and (4) of section sixty and of section sixty-six of the said Act of 1889 relating to the contributions by royal and parliamentary burghs in aid of the expenditure therein mentioned shall apply to sums which, but for the provisions of this section, would have been leviable by the county council within the police burgh, subject to the following modifications:—

(*a*) references to a royal or parliamentary burgh shall be construed as references to a police burgh; and

(*b*) the amount of the contribution by a police burgh to a county council shall be paid out of the general improvement assessment or such other rate leviable by the town council of the police burgh for the purposes of any Act of Parliament administered by them and payable by owners and occupiers in equal proportions as the council may determine, but shall not be reckoned in any calculation as to the statutory limit of that assessment or rate.

Abolition of exemption from local rates in certain cases.

37 & 38 Vict. c. 20.

11. Section one of the Rating Exemptions (Scotland) Act, 1874 (which contains provisions whereby churches and certain other lands and heritages are not liable to local rates), shall cease to have effect—

(*a*) as regards local rates payable by owners in the case of any church, chapel, meeting house, or premises exclusively appropriated to public religious worship in respect of which the owner receives rent therefor and does not himself occupy such church, chapel, meeting house, or premises; and

(*b*) as regards local rates payable by both owners and occupiers in the case of ground exclusively appropriated as burial ground where such ground belongs to a local authority or to a company or persons selling the exclusive right of burial in lairs therein, or trading as cemetery owners for profit;

55 & 56 Vict. c. 55.

and section three hundred and seventy-three of the Burgh Police (Scotland) Act, 1892 (relating to exemptions and savings), shall have effect as if the provisions of this section had been in operation at the commencement of that Act.

Rateable values of lands and heritages.

3 Edw. 7. c. 33.

12.—(1) Subject to the provisions of subsection (2) of this section, and also subject to the provisions of subsection (7) of this section or of section forty-five of the Burgh Police (Scotland) Act, 1903, or the corresponding provisions of any local Act, the annual value of the lands and heritages set out in the first column of the First Schedule to this Act shall, for the purposes of all rates leviable under any public general Act except as otherwise specified in the said schedule, be held to be the gross annual value of the lands and heritages, after the deduction of an amount representing the percentage set out in the second column of the said schedule opposite to the lands and heritages to which it relates, and the provisions of any public general Act so far as inconsistent with the provisions of this subsection shall cease to have effect, but nothing herein contained shall be deemed to affect the provisions of section two hundred and thirty-three of the Burgh Police (Scotland) Act, 1892.

(2) The provisions of the foregoing subsection shall apply for the purposes of all rates (other than water rates) leviable under any local Act, and of all rates leviable under any public general Act with respect to which special provisions are made in any local Act, together with the provisions of the local Act subject to such modifications and adaptations of such local Act as may be prescribed with respect to any such rate by order made by the Secretary of State on the application of the authority by whom such rate is leviable or of any person interested:

Provided that, in any case in which partial relief from any such rate is given by the local Act, the order shall secure that in such case the relief from the rate under the provisions of this section and of the local Act modified and adapted as aforesaid shall be as near as may be the same as that given by the local Act, and provided also that any relief from any such rate given by a local Act shall cease to the extent to which that relief corresponds to that given by section three hundred and forty-seven of the Burgh Police (Scotland) Act, 1892, or which would have been given by that section if it had applied to underground works of an electricity undertaking, and no account shall be taken of that relief to the said extent for the purposes of the said order.

(3) Save as provided in subsections (1) and (2) of this section the annual value of all lands and heritages for the purposes of all rates (other than water rates leviable under a local Act) shall be the gross annual

value thereof, subject to the provisions of subsection (7) of this section or of section forty-five of the Burgh Police (Scotland) Act, 1903, or the corresponding provisions of any local Act.

(4) The Secretary of State may, on the application of an authority having power to levy a water rate under a local Act, or of any person interested by order, direct that the provisions of subsection (1) of this section shall apply for the purposes of such water rate together with the provisions of the local Act subject to such modifications and adaptations thereof as may be prescribed in the order, and such water rate shall be levied subject to the provisions of the order:

Provided that, in any case in which partial relief from such rate is given by such local Act, the order shall secure that in such case the relief from the rate shall be as near as may be the same as that given by the local Act, but no account shall be taken of that relief to the extent to which it corresponds to that given by section three hundred and forty-seven of the Burgh Police (Scotland) Act, 1892, or which would have been given by that section if it had applied to underground works of an electricity undertaking.

(5) Any authority or person making application for an order under this section shall give notice of such application once weekly for at least two successive weeks in a newspaper circulating in the district of the authority by whom the relative rate is leviable, and once in the Edinburgh Gazette on or before the date of the second notice in the said newspaper, and such notice shall contain an intimation that any person interested may lodge objections with respect to the proposed order with the Secretary of State within one month after the date of the first notice in the said newspaper. Where objections are so lodged with respect to any proposed order the authority or other person applying for the order and the authority or other person by whom the objections are lodged shall be entitled to make representation to the Secretary of State.

(6) Any order made under this section shall be laid before both Houses of Parliament forthwith, and if an address is presented to His Majesty by either House of Parliament within the next subsequent twenty-eight

days on which that House has sat after any such order is laid before it praying that the order may be annulled, it shall thenceforth be void but without prejudice to the validity of anything previously done thereunder or the making of a new order.

(7) Save as otherwise provided in any local Act, if the amount of the annual value for the purposes of rates ascertained as aforesaid of any lands and heritages in a county includes a fraction of five shillings, the amount of the annual value shall be increased or reduced as the case may be to the nearest complete five shillings, or if the fraction is two shillings and sixpence the fraction shall be disregarded.

(8) The provisions of any Act under which a rate is to be charged in equal proportions to owners and occupiers or to be equally divided between owners and occupiers or to be leviable from owners and occupiers in equal proportions shall be deemed to be complied with in the case of agricultural lands and heritages if an equal rate per pound is levied upon owners and occupiers.

(9) Nothing in this section shall affect the total exemption from any rate of any lands and heritages.

Provisions as to agricultural rates grant.

13 & 14 Geo. 5. c. 39.

13.—(1) Section eight of the Agricultural Rates Act, 1923 (in this section referred to as "the Act of 1923") shall cease to have effect and the deduction made in pursuance of the immediately preceding section and of the First Schedule to this Act from the gross annual value of agricultural lands and heritages shall be treated for the purposes of the other provisions of the Agricultural Rates (Scotland) Acts, 1896 to 1923 (in this section referred to as "the Acts") as if it were the relief from rates for which provision is made by the said section eight.

(2) The Acts shall have effect as if for the references therein to parish councils there were substituted references to town councils and county councils as respects parish and education rates and as if the rates leviable by county councils included the rates which but for the provisions of section ten of this Act would have been leviable by county councils within police burghs, and the expression "rating authorities" in the Acts shall be construed accordingly.

(3) For the purposes of section ten of the Act of 1923 (which relates to the ascertainment of the amount of the additional annual grant for Scotland and of payments to rating authorities), the owners' share of a rate shall be deemed to be one-half of the amount taken as raised by the rate except that in the case of a rate which but for the provisions of section nine of this Act would have been payable wholly or to a partial extent by owners only, the share of one-half shall be increased by an amount representing the produce of one-half of the rate or that part of the rate, as the case may be, which but for the said provisions would have been payable by owners only.

59 & 60 Vict. c. 37.

(4) The powers of the Secretary of State to make amendments or variations on certificates under subsection (4) of section two of the Agricultural Rates Congested Districts and Burgh Land Tax Relief (Scotland) Act, 1896 (in this section referred to as "the Act of 1896"), shall apply for the purposes of carrying into effect the provisions of this Act.

(5) In ascertaining the amount of the contribution payable by a police burgh under subsection (4) of section sixty of the Local Government (Scotland) Act, 1889, for the first year after the commencement of this Act a county council shall take account of the sum payable to the council for that year by way of agricultural rates grant in respect of the rates which, but for the provisions of section ten of this Act, would have been leviable by the county council within the police burgh.

(6) Every sum received by a rating authority by way of agricultural rates grant in respect of a parish rate or the education rate, or the lunacy rate, or any other rate so far as relating to the expenses of a district board of control, if levied for a period after the fifteenth day of May, nineteen hundred and twenty-eight, shall, notwithstanding that under section eleven of the Act of 1923 it is deemed to have been raised or to be raisable by the rate, instead of being appropriated in reduction of the total amount leviable by the rate as provided in the said section eleven, be paid by the rating authority to the parish council or the education authority or the district board of control as the case may be, over and above the sum payable to the council, authority or board under a certificate, and

the sum so paid to the council, authority or board in respect of a rate shall be applied by them in reduction of the expenditure in respect of which the rate is leviable.

(7) As from the sixteenth day of May, nineteen hundred and twenty-eight, a county council shall in determining the amount to be apportioned for the purpose of ascertaining the amounts payable by royal, parliamentary and police burghs, under subsection (4) of section sixty of the Local Government (Scotland) Act, 1889, take account of the sums payable to the county council by way of agricultural rates grant in respect of the rate levied by them so far as relating to the expenditure included in the amount to be apportioned and in respect of the rate, so far as relating to that expenditure, which but for the provisions of section ten of this Act would have been levied by them within police burghs.

(8) The expression "agricultural lands and heritages" in the Acts, shall have the same meaning as in this Act, and section one of the Act of 1896, so far as unrepealed, shall cease to have effect save for the purpose of construing any enactment in which that section is referred to.

Provisions as to valuation roll.

14.—(1) Every valuation roll made up in accordance with the Lands Valuation (Scotland) Act, 1854, or section sixty of the Burgh Police (Scotland) Act, 1903, shall in addition to the other particulars required by the said Acts show the rateable value of the lands and heritages and the amount of any deduction from the gross annual value for the purpose of ascertaining the rateable value, and the provisions of the Lands Valuation (Scotland) Act, 1854 (including, without prejudice to the said generality, the provisions with respect to notices to persons whose property is valued and with respect to appeals) shall apply accordingly.

(2) Lands and heritages, the gross annual value of which is also the rateable value, shall not be included in the same entry in a valuation roll as lands and heritages from the gross annual value of which a deduction is made in ascertaining the rateable value, nor shall any lands and heritages be included in the same entry therein as other lands and heritages unless the same rate of

deduction is made from the gross annual value in ascertaining the rateable value in the case of each of the lands and heritages in the entry.

(3) Where for the purposes of any rate leviable under or in accordance with any local Act an apportionment is required of the total gross annual value of lands and heritages entered in a valuation roll under a single entry, the assessor under the Lands Valuation (Scotland) Act, 1854, may, and on the application of the authority by whom the rate is leviable or of any person interested shall, apportion the sum entered in the valuation roll in respect of the said lands and heritages so far as necessary for the purpose of levying the rate aforesaid, and the authority or any person aggrieved by the apportionment may, within fourteen days after such apportionment has been intimated to him, appeal to the sheriff, whose decision shall be final.

(4) Where for the purposes of this Act an amount required or the amount of a deficiency or the amount of expenses in respect of a year is to be allocated and apportioned between two or more rating authorities according to the rateable valuations or the gross annual valuations in the valuation roll of their respective areas so far as within the parish or the education area or other district, the valuation roll shall be the valuation roll for the preceding year with such adjustments on the basis of the roll for that year as may be necessary to take account of any alteration in boundaries of the area of any rating authority, to which effect has been or is being given in the valuation roll for the year current. The provisions of this subsection shall also apply for the purpose of the apportionment of the expenses of district boards of control in the case of the first year after the commencement of this Act, and for the purpose of ascertaining the amount of the contribution by a royal, parliamentary or police burgh under the provisions of subsection (4) of section sixty of the Local Government (Scotland) Act, 1889.

Provision as to certificates of valuation.

15. Where any amount or sum is required under this Act to be apportioned or allocated among two or more rating authorities according to the rateable valuation of the respective areas of such authorities, the clerk of the town or county council by whom the valuation roll relating to any part of such areas is made up shall, so soon as the same shall have been authenticated under the Lands Valuation (Scotland) Act, 1854, or section sixty of the Burgh Police (Scotland) Act, 1903, give a certificate of the rateable valuation of such part to the clerk of any council, authority or board by whom such apportionment or allocation as aforesaid requires to be made.

Owners of certain subjects in counties may be charged with occupier's rates.

16. Without prejudice to the provisions of the House Letting and Rating (Scotland) Acts, 1911 and 1920, a county council or any other authority (not being the town council of a burgh) having statutory power to levy a rate may, if they think fit, levy upon the owners any occupiers' rate in respect of lands and heritages separately let for a shorter period than one year, but the county council or other authority shall allow to such owners a deduction from the occupiers' rates equal to two and one-half per centum thereof, and every such owner charged with and paying such occupiers' rates shall have relief against the occupiers of such lands and heritages for the full amount thereof without deduction corresponding to the period of occupancy and, so far as he fails to recover the amount payable by any such occupier, he shall be entitled to repayment from the county council or other authority upon lodging a claim on or before such date as may be fixed by the council or other authority, without prejudice to the right of the council or other authority to make adjustments with such owner in respect of any sum subsequently recovered by him in respect of such occupiers' rates.

Rates on lands and heritages not usually let for less than a year but not occupied by same occupier for whole year.

17. Without prejudice to the provisions of the House Letting and Rating (Scotland) Acts, 1911 and 1920, when any lands and heritages in respect of which a rate might be imposed upon the occupier, not being lands and heritages usually let for any period shorter than one year, shall not be occupied by the same occupier for the whole year from the term of Whitsunday in any year till the term of Whitsunday in the year following, but shall be occupied for part of such year by a new occupier, the rating authority, or any other authority having statutory power to levy a rate, may, if they think fit, impose and levy on and from such new occupier who occupies the same for any part of such year, whether his name appears in the valuation roll or not, a proportion of such rate for that year corresponding to the period of his occupancy; and in the case of a burgh the rating or other authority may, if they think fit, impose and levy on and from the owner of such lands and heritages the proportion of such rate, if any, corresponding to the period during which such lands and heritages were occupied during the said year by any other occupier, and every such owner charged with and paying such occupiers' rates shall have relief against such other occupier corresponding to the period of occupancy, and so far as he fails to recover the amount payable by such other occupier he shall be entitled to repayment from the rating or other authority upon lodging a claim on or before such date as may be fixed by the rating or other authority, without prejudice to the right of the rating or other authority to make adjustments with such owner in respect of any sum subsequently recovered by him in respect of such occupiers' rates.

Consolidation of rates.

18.—(1) Where by virtue of any public general or local Act the rates leviable by a rating authority are levied as consolidated rates, by whatever name called, the parish rates and the education rate shall be levied and recovered by the rating authority as part of the consolidated rates in like manner as if the expenditure to which those rates relate were expenditure subject to the control of the rating authority:

Provided that nothing in this subsection shall be construed as extending to parish and education rates any total or partial exemption from such consolidated rates in the case of any lands and heritages.

(2) On passing a resolution to that effect, the town council of a burgh may, after fixing the amount per pound in respect of each of the rates leviable by them on the basis of rateable valuation of lands and heritages, instead of levying such separate rates, levy within the burgh consolidated rates of an amount equal to the total amount of the aforesaid separate rates which consolidated rates shall be divided between owners and occupiers in the same proportions as the total amount of the separate rates would have been divided between owners and occupiers had they been separately levied;

Provided that—

(*a*) nothing herein contained shall be deemed to authorise the levying, as part of the consolidated rates, of a sum in respect of a separate rate in excess of the statutory limit applicable in the case of that rate; and

(*b*) where any separate rate is leviable only within part of a burgh, the consolidated rates levied within a part of the burgh shall be in respect only of the rates leviable in that part;

and the consolidated rates shall, subject to the provisions of this Act, be recovered in like manner and under the like powers and provisions (including, without prejudice to the said generality, the power to grant remission or relief on the ground of poverty or inability to pay and the provision relating to appeals) as the public health general assessment. The town council may at any time revoke any resolution under this subsection.

Payment of rates by instalments.

19.—(1) Notwithstanding anything to the contrary in any Act, a rating authority or any other authority having statutory power to levy a rate may, on passing a resolution to that effect, levy, collect or recover all or any of the said rates by instalments not being more than four of such amounts, and to be paid on such dates as the rating or other authority shall fix and determine at the time of fixing or imposing such rates, and the demand note shall in addition to the other required particulars state the time appointed for the payment of each instalment and all powers, rights and remedies competent to the rating or other authority or to their officers for levying, collecting or recovering a rate shall apply to each of the instalments of the rate as if it were a separate rate:

Provided that—

(*a*) any person may elect to pay in one sum instead of by instalments and any person failing to make payment of the first instalment on or before the date fixed therefor shall forfeit the right to pay by instalments; and

(*b*) nothing herein contained shall limit the powers of a rating authority under the provisions of any local Act with respect to levying, collecting and recovering rates by instalments, and any such provisions of any local Act shall apply to the rates which, under this Act, are levied by the rating authority.

(2) The rating or other authority may at any time revoke or vary any resolution under this section.

Fractions of a penny of rates.

20. In calculating and collecting the amount payable by a ratepayer in respect of rates levied by a rating authority, any fractional part of a penny less than one halfpenny shall not be reckoned as part of the amount of such rates and any fractional part of a penny amounting to or exceeding a halfpenny shall be reckoned in the amount of such rates as a penny.

Collection of rates levied by authorities other than rating authorities.

21. Any rating authority and any other authority having statutory power to levy a rate within the area of the rating authority may make arrangements on such terms and conditions as may be agreed for the collection by the rating authority of the rates levied by the other authority, and, where such arrangements are in force, the demand note issued by the rating authority in respect of rates levied by them may include as a separate item the rate levied by the other authority.

Demand notes for rates.

22.—(1) Every demand note for rates issued by a rating authority (other than any demand note which may be issued in respect only of a second or later instalment of rates) shall contain information with respect to the following matters, that is to say—

(*a*) the situation of the lands and heritages in respect of which the demand note is issued and such description thereof reasonably necessary for purposes of identification as may be prescribed;

(*b*) the gross annual value of the lands and heritages and the value thereof for the purposes of the rates in the demand note;

(*c*) where the rates are levied as consolidated rates the amount in the pound at which those rates are levied, and where the rates are not so levied the total amount in the pound of the rates in the demand note levied by the rating authority;

(*d*) The date on which the rates are payable;

(*e*) the period in respect of which the rates are levied;

(*f*) where the rates are levied as consolidated rates, the amount in the pound representing each of the separate rates in respect of which the consolidated rates are levied, and where the rates are not so levied, the amount in the pound of each of the rates in the demand note levied by the rating authority—showing separately the rates relating to expenditure of the rating authority and those relating to expenditure of each authority by or on account of which a certificate has been issued to the rating authority; and

(*g*) the amounts in the pound which are being levied by the rating authority for such of the principal services administered respectively by the rating authorities and the authorities by or on account of which certificates have been issued to the rating authority as may be prescribed.

(2) The Secretary of State may by rules prescribe the forms of demand notes for rates and anything which by this section is to be prescribed.

Amendment of s. 62 of 52 & 53 Vict. c. 50.

23.—(1) The following subsection shall be substituted for subsection (4) of section sixty-two of the Local Government (Scotland) Act, 1889 (which makes provision with respect to the levying of rates), that is to say:—

> "(4) The county council may relieve in whole or in part any person from payment of any rate on the ground of poverty or inability to pay, but only on application by such person; but no lands or heritages shall be exempted from assessment on the ground that they are or have been during the period of assessment unoccupied and unfurnished except in respect of the amount payable by the occupier."

(2) Summary warrants for the recovery of rates by county councils shall, in addition and without prejudice to the other remedies competent thereunder, decern

and ordain instant execution by arrestment, and subsection (5) of section sixty-two of the Local Government (Scotland) Act, 1889, shall have effect accordingly.

Cost of levying and collecting rates.

24. The expenses incurred by a rating authority in levying, collecting, recovering, and, so far as necessary, paying over all rates levied and collected by them shall be defrayed—

(*a*) in the case of a town council out of the general improvement assessment or such other rate leviable by the council for the purposes of any Act of Parliament administered by them and payable by owners and occupiers in equal proportions as the council may determine, but shall not be reckoned in any calculation as to the statutory limit of that assessment or rate; and

(*b*) in the case of a county council out of the general purposes rate, but, notwithstanding anything in the Local Government (Scotland) Act, 1889, a police burgh shall not be liable to contribute towards any such expenses of a county council.

Consequential amendments of various Acts.

25.—(1) As from the sixteenth day of May, nineteen hundred and twenty-eight, the amounts of the respective contributions payable by royal, parliamentary, and police burghs under subsection (4) of section sixty of the Local Government (Scotland) Act, 1889, shall be ascertained on the basis of the rateable values of the properties within the respective burghs and within the county according to the valuation roll.

(2) Section sixty-six of the Local Government (Scotland) Act, 1889 (which relates to requisitions and payments of burgh contributions to county funds), whether for the purposes of that Act or of any other Act by which it is applied, shall have effect as if the fifteenth day of July were therein substituted for the month of October.

(3) The general meeting of a county council which is required by subsection (2) of section seventy-three of the Local Government (Scotland) Act, 1889, to be held in the month of October, and at which, under section seventy-one of the said Act, the annual budget of the county council is required to be submitted may, if

the county council so determine, by passing a resolution to that effect at a meeting of which due notice shall be given, be held on such day before the month of October as the county council may from time to time determine, and the provisions of the said subsection and of the said section seventy-one shall have effect accordingly.

(4) The sum of fifty thousand pounds which, under subsection (4) of section two of the Education and Local Taxation Account (Scotland) Act, 1892, is to be distributed among parish councils shall, instead of being applied to the relief of local rates as therein provided, be applied in reduction of the expenditure incurred by the parish councils respectively for the purposes of their powers and duties under the Acts administered by them in such manner as they may determine.

55 & 56 Vict. c. 51.

(5) Section thirty-seven of the Local Government (Scotland) Act, 1894 (which relates to the local annual budget of parish councils), shall have effect as if the month of June were therein substituted for the month of July.

57 & 58 Vict. c. 58.

(6) The statutory powers of a rating authority to borrow temporarily in connection with current annual expenditure in anticipation of the rates applicable to such expenditure shall be deemed to include power to borrow for the purposes of meeting any sum, so far as uncollected, payable in accordance with the provisions of this Act to a parish council, education authority or district board of control under a certificate by or on account of that council, authority or board, and that upon the security of the rates leviable by the rating authority for the purposes of Acts of Parliament administered by them and also, so far as uncollected at the time, the parish, education and lunacy rates which have been levied by them and any sum borrowed under the provisions of this subsection shall not be reckoned in any calculation as to the limit of the amount that may be borrowed under the foresaid statutory powers.

Amendment of s. 7 of 1 & 2 Geo. 5. c. 53.

26. The following subsection shall be substituted for subsection (3) of section seven of the House Letting and Rating (Scotland) Act, 1911, as respects occupiers' rates paid for a period after the commencement of this Act:—

(3) Notwithstanding any payment by the owner of occupiers' assessments in respect of the occupancy of a

small dwelling-house if for any period any small dwelling-house in respect of which such payment has been made was not let, or if in respect of any period the owner shall fail to recover the full amount of the rent or other consideration for any small dwelling-house in respect of which such payment has been made he shall, upon lodging, on or before dates to be fixed by the respective assessing authorities (one of which dates shall be fixed not earlier than the first or later than the twentieth day of May in each year), with the clerk to any such authority, or with such other officer as such authority may appoint for the purpose—

(*a*) a claim for repayment which shall set forth—

(i) the period or periods during which the small dwelling-house was not let; and

(ii) the period or periods in respect of which though the house was let payment of the full amount of the rent or other consideration was not recovered by the owner and the amount actually recovered by him on account of such rent or other consideration; and

(*b*) a declaration to the effect that the amount actually recovered on account of the rent or other consideration for such period or periods has fallen short of the full amount payable by a specified amount;

be entitled to repayment without any unnecessary delay from such authority of the proportionate amount of such assessments for the said period or periods during which the house was not let and of such part of the proportionate amount of such assessments for the said period or periods during which the house was let as corresponds to the unrecovered part of the total amount of rent or other consideration payable, without prejudice to the right of the authority to make adjustments with the owner in respect of any such rent or other consideration subsequently recovered by him.

Transfer of existing officers, &c.

27.—(1) Any officer or servant who at the passing of this Act is employed by a parish council in full time employment either as collector of rates of the parish council or otherwise in the performance of the duties of the parish council relating to the collection of rates and who at the commencement of this Act is still so employed by the parish council, shall be transferred to and become an officer or servant of the rating authority or, where the parish is within the areas of two or more rating authorities, of such one of those rating authorities as the authorities after consultation with the parish council may agree; and if the rating authorities fail to agree with respect to any such officer or servant, that officer or servant shall be entitled to compensation,—any such officer or servant transferred as aforesaid being in this section referred to as a "transferred officer."

(2) Subject as hereinafter provided, transferred officers shall hold their offices by the same tenure and upon the same terms and conditions as if this Act had not passed, and while performing similar duties shall receive not less salaries or remuneration than they would have received or been entitled to if this Act had not passed:

Provided that

(i) where a transferred officer who, in respect of his service with a parish council has been subject to a superannuation scheme, is transferred under this section to a rating authority having no superannuation scheme to which he will be subject, nothing herein contained shall be deemed to require such rating authority to adopt a superannuation scheme and such transferred officer, on ceasing to hold office under the parish council, shall, if he is not entitled to a superannuation allowance under the superannuation scheme of the parish council, be entitled to compensation in respect of loss of superannuation rights under the scheme for the period of his service prior to transfer to the rating authority so, however, that, if the rating authority subsequently adopt or institute a superannuation scheme, such officer shall not, for the purposes of that scheme, be entitled to have account taken of any period of service in respect of which he has received compensation under this proviso unless within six months of the scheme being so adopted or instituted he repays to the rating authority the sum paid as compensation under this proviso, without interest; and, on payment of such compensation by the rating authority, the parish council shall, out of their superannuation fund, pay to the rating authority the sum in respect of return of contributions with interest which would, under section ten of the Local Government and other Officers' Superannuation Act, 1922, have been payable to the officer if that section had applied in his case; and

12 & 13 Geo. 5. c. 59.

(ii) where a transferred officer who, in respect of his service with a parish council, had been subject to a superannuation scheme is transferred under this section to a rating authority having a superannuation scheme constituted under the provisions of a local Act, the parish council shall pay out of their superannuation fund to the rating authority the like sum and the transferred officer shall be entitled to the like rights under the superannuation scheme of the rating authority as if the rating authority had adopted the provisions of the Local Government and other Officers' Superannuation Act, 1922, and the provisions of subsection (1) of section eight of that Act were applicable in the case whether the transferred officer was a contributor or not.

(3) The rating authority may distribute their business among transferred officers in such manner as the authority may think proper, and every transferred officer shall perform such duties in relation to that business as may be directed by the authority.

(4) A rating authority may abolish the office of any transferred officer whose office they may deem unnecessary, but such officer shall be entitled to compensation.

(5) If at any time within five years after the commencement of this Act any transferred officer is required by the rating authority to whose service he has been transferred to perform duties which are not analogous to or which are an unreasonable addition to

those which he was required to perform under the parish council, the officer may relinquish his office and thereupon shall be entitled to compensation.

(6) Any transferred officer whose services are dispensed with, or whose salary is reduced by the rating authority within five years after the commencement of this Act because his services are not required or his duties are diminished, and not on the ground of misconduct, shall be entitled to compensation unless it is proved that the pecuniary loss suffered has not arisen in consequence of this Act.

(7) Every officer or servant of a parish council (other than an officer or servant to whom subsection (1) of this section applies) and every officer or servant of a rating authority who, by virtue of this Act or anything done in pursuance or in consequence thereof, suffers any direct pecuniary loss by abolition of office or by determination of his appointment or by diminution or loss of salary, fees or emoluments, shall be entitled to compensation.

(8) Compensation shall be payable to the officer or servant entitled thereto by the rating authority concerned, or where the parish of the parish council in whose service the officer or servant entitled to compensation was at the passing of this Act is in the area of two or more rating authorities, by the rating authority (in this subsection referred to as the "principal rating authority") the gross annual valuation of whose area so far as within the parish, according to the valuation roll for the year current at the passing of this Act, exceeds the gross annual valuation of the area of any other rating authority so far as within the parish, and each such other rating authority shall repay to the principal rating authority their proportion of the sums paid by way of compensation, which proportion shall be calculated by reference to the gross annual valuations of the respective areas of the rating authorities so far as within the parish according to the said valuation roll. For the purposes of this subsection—

(i) the rating authority concerned in the case of an officer or servant of a county council entitled to compensation in respect of his employment in connection with the collection of rates leviable by the county council in a police burgh, shall be the town council of the police burgh; and

(ii) in the case of compensation payable to a transferred officer under proviso (i) to subsection (2) of this section the rating authority to whom the officer is transferred shall be the principal rating authority whether or not the gross annual valuation of their area within the parish exceeds that of any other rating authority, and in ascertaining the proportions of such compensation repayable to that authority by other rating authorities account shall be taken of the sum payable to that authority by the parish council under the said proviso.

(9) The provisions contained in the Second Schedule to this Act shall have effect with regard to the determination and payment of compensation under this Act to officers or servants entitled thereto.

(10) If any question arises as to—

(*a*) the transfer of an officer or servant in consequence of the provisions of this section;

(*b*) the rating authority to whom application by an officer or servant for compensation is to be made; or

(*c*) the manner in which the expenses of a rating authority under this section and the Second Schedule to this Act are to be defrayed,

the Secretary of State may, on the application of the officer or servant or any rating authority, or parish council concerned determine the question.

Temporary provision for protection of trustees of port and harbours of Greenock.

28. Until the fifteenth day of May, nineteen hundred and thirty-two, and notwithstanding anything in this Act contained, in the application of this Act to the port and harbours of Greenock the deduction of the percentage set out in the second column of the First Schedule to this Act shall be ten per centum higher than the deduction applicable to the class of lands and heritages referred to in paragraph (8) of the said Schedule.

29.—(1) In this Act, unless the context otherwise requires—

Interpretation.

the expression "agricultural lands and heritages" means any lands and heritages used for agricultural or pastoral purposes only, or as market gardens, orchards, allotments or allotment gardens, but does not include woodlands or lands occupied together with a house as a park, garden, or pleasure-ground, or any land kept or preserved mainly or exclusively for sporting purposes;

the expression "agricultural rates grant" means any sum received by a rating authority in respect of a rate under subsection (3) of section four of the Agricultural Rates Congested Districts and Burgh Land Tax Relief (Scotland) Act, 1896, or subsection (1) of section two of the Local Taxation Account (Scotland) Act, 1898, or the Agricultural Rates Act, 1923;

61 & 62 Vict. c. 56.

the expressions "burgh" and "police burgh" have the respective meanings assigned to them in the Burgh Police (Scotland) Act, 1892;

the expression "county" means the county exclusive of any burgh;

the expression "compensation" means compensation under this Act;

the expression "education rate" means the rate leviable for the purposes of defraying the expenses of education authorities under the provisions of the Education (Scotland) Act, 1918, as amended by this Act;

the expression "gross annual value" in relation to lands and heritages, means the yearly rent or value thereof as entered in the valuation roll in accordance with the provisions of the Lands Valuation (Scotland) Act, 1854 and the Acts (other than the section of this Act containing provisions as to the valuation roll) amending that Act, and the expression "gross annual valuation" shall be construed accordingly;

the expression "lunacy rate" means the rate levied under the Lunacy (Scotland) Act, 1857;

the expression " owner " in the case of a burgh has the meaning assigned to it in the Burgh Police (Scotland) Act, 1892, and in the case of a county has the meaning assigned to it in the Local Government (Scotland) Act, 1889;

the expression " parish council " includes a parish council acting as a district board of control;

the expression " parish rates " means the rate for the relief of the poor and all other rates which by any Act of Parliament are declared to be leviable by a parish council, excluding the education rate;

the expression " rate " includes any rate, charge and assessment the proceeds of which are applicable to public local purposes and which is leviable on lands and heritages;

the expression " rateable value " means the annual value hereinafter specified, adjusted, if so required in the case of lands and heritages in a county in accordance with the provisions of subsection (7) of section twelve of this Act, or the corresponding provisions of any local Act, and in the case of lands and heritages in a burgh in accordance with the provisions of section forty-five of the Burgh Police (Scotland) Act, 1903, or the corresponding provisions of any local Act—

(*a*) in the case of lands and heritages specified in the First Schedule to this Act the gross annual value after the deduction of an amount representing the percentage thereof set out in the second column of the said schedule opposite to the lands and heritages to which it relates; and

(*b*) in the case of lands and heritages (other than lands and heritages to which paragraph (*a*) hereof applies) the gross annual value, except that in the case of lands and heritages with respect to which there is total exemption from all rates the rateable value shall be treated as nil

and the expression " rateable valuation " shall be construed accordingly, except that for the purpose of any apportionment between rating authorities the rateable valuation of the area of a rating authority shall be ascertained as if the rateable value of agricultural lands and heritages therein were one-half of the gross annual value thereof;

the expression "rating authority" means in the case of a county, the county council and in the case of a burgh, the town council;

the expression "valuation roll" includes a supplementary valuation roll.

(2) Any reference in this Act to any statutory provision shall be construed as a reference to the statutory provision as amended or extended or applied by any subsequent Act, including this Act.

(3) Subject to the provisions of this Act, references in any Act or in any bond for borrowed money, or in any other document, to a rate leviable by a parish council shall be construed as references to the corresponding rate leviable by the rating authority as coming in place of the parish council under the provisions of this Act.

(4) Save as respects the education rate, nothing in this Act shall be construed as authorising any rate to be levied by a rating authority in any area outwith the parish or part of the parish, as the case may be, in which the rate would but for the provisions of this Act have been leviable by the parish council.

(5) Nothing in this Act shall be construed as requiring that under subsection (1) of section one of the Public Libraries (Scotland) Act, 1920, the accounts of the committee therein mentioned shall be audited, otherwise than they would have been audited had this Act not passed, and the references in the said subsection to the rating authority shall be construed accordingly.

10 & 11 Geo. 5. c. 45.

Repeals.

30. The enactments mentioned in the Third Schedule to this Act shall be repealed to the extent specified in the third column of that Schedule.

Short title, commencement and extent.

31.—(1) This Act may be cited as the Rating (Scotland) Act, 1926.

(2) This Act shall come into operation on the sixteenth day of May, nineteen hundred and twenty-seven.

(3) This Act shall apply to Scotland only.

SCHEDULES.

Sections 12, 13, 28, 29.

FIRST SCHEDULE.

Deductions from Gross Annual Value of certain Classes of Lands and Heritages for the purposes of Rates.

Class of Lands and Heritages.	*Rate of Deduction.*
1. Mines, minerals and quarries including any lands and heritages contiguous thereto used wholly or mainly for the purposes of the business of working the mines, minerals and quarries.	Five per cent.
2. Mills, manufactories, works or premises of a similar character used wholly or mainly for industrial purposes (other than those specified in paragraphs 3, 4, 5 and 11).	Six and one-quarter per cent.
3. Works used wholly or mainly for the conversion of ore into pig iron and works in the occupation of the same person as the foresaid works and used in conjunction therewith, wholly or mainly, for the utilisation of by-products arising out of the manufacture of pig-iron.	Fifteen per cent.
4. Works used wholly or mainly for the manipulation of semi-finished steel or wrought iron products into tubes.	Fifteen per cent.
5. Works used wholly or mainly for the extraction of crude oil from shale, and works used wholly or mainly for the refining of crude oil.	Fifteen per cent.
6. Lands and heritages forming part of the undertaking of any local authority, body or company supplying gas or water for public purposes or to members of the public and exclusively used in connection with such supply.	Twenty per cent.

1st Sch. —*cont.*

Class of Lands and Heritages.	*Rate of Deduction.*
7. Sewers, drains or sewerage works belonging to a local authority as local authority for the purposes of drainage or to any other authority having statutory power to levy a drainage rate.	Twenty per cent.
8. Harbours, quays, wharves, docks, piers, ferries or canals (other than those valued as part of a railway undertaking) and any lands and heritages used wholly or mainly for the purposes thereof.	Twenty per cent.
9. Lands and heritages belonging to or leased by a railway company and valued by the assessor of railways and canals as part of a railway undertaking.	Twenty-five per cent.
10. Lands and heritages belonging to or leased by a tramway company or local authority, and valued by the assessor of railways and canals as part of the tramway undertaking of such company or authority.	Twenty-seven and one-half per cent.
11. Works used wholly or mainly for the manufacture of steel ingots or wrought iron in conjunction with processes incidental to the manufacture of steel or wrought iron products or for the manipulation of semi-finished steel or wrought iron products into plates, sheets, sections, hoops, strips or bars.	Thirty per cent.
12. Lands and heritages forming part of the undertaking of any local authority, body or company supplying electricity for public purposes or to members of the public and exclusively used in connection with such supply.	Thirty per cent.
13. Agricultural lands and heritages—for the purposes of the owner's share of rates.	Twenty-five per cent.
14. Agricultural lands and heritages, for the purposes of the occupier's share of rates.	Seventy-five per cent.

Section 27.

SECOND SCHEDULE.

Provisions as to the Determination and Payment of Compensation to Officers or Servants Entitled Thereto.

1. The provisions of section one hundred and twenty of the Local Government (Scotland) Act, 1889, shall apply to the determination and payment of compensation to officers or servants subject to the following and any other necessary modifications :—

(*a*) References to the county council and the Treasury shall be construed as references to the rating authority liable in payment to the officer or servant of compensation (in this Schedule referred to as the "compensating authority") and the Secretary of State respectively, and the reference to the convener or vice-convener shall be construed in the case where the compensating authority is the town council of a burgh as a reference to the lord provost, provost or acting chief magistrate of the burgh;

(*b*) The reference to the Acts and rules relating to His Majesty's Civil Service shall be construed as a reference to the Acts and rules which were in operation at the date of the passing of the Local Government (Scotland) Act, 1889;

(*c*) References to "the passing of this Act" shall, except in the case of abolition or relinquishment of office, be construed as references to the date when the loss arose, and in the case of abolition or relinquishment of office, as references to the date of such abolition or relinquishment;

(*d*) A claim for compensation shall not be maintainable unless it is intimated to the compensating authority within two years of the date on which it is alleged to have arisen;

(*e*) Expenses incurred by a rating authority in pursuance of section twenty-seven of this Act and of this Schedule shall be defrayed in like manner as the expenses of levying and collecting rates:

Provided that if any compensation is payable by way of a capital sum the payment of that compensation shall be a purpose for which the rating authority may borrow upon the security of the assessment or rate out of which the said expenses are to be defrayed, and any sum so borrowed shall be repaid within a period of five years from the date on which the sum is borrowed.

(*f*) Subsections (8) and (9) shall not apply.

2ND SCH. —*cont.*

2. In computing the time of service in any capacity of any officer or servant for the purpose of the award of compensation, the compensating authority shall take into account all the service in any capacity of that officer or servant under any parish council, town council or county council, whether he was appointed annually or otherwise:

Provided that, if in pursuance of the power conferred by this Act an office is abolished by a rating authority, otherwise than at the expiration of a complete year of service of an officer or servant, the portion then expired of that year shall be treated as a complete year where such portion exceeds six months, and shall be ignored where such portion does not exceed six months.

3. The compensation payable to an officer or servant who immediately before the commencement of this Act held two or more offices under any parish, town or county council or councils and who devoted the whole of his time to the duties of such offices, shall not be reduced by reason of the fact that he has devoted only part of his time to each of such offices.

4. If any officer or servant was temporarily absent from his employment during the late war whilst serving in His Majesty's forces, or the forces of the Allied or Associated Powers, either compulsorily or with the sanction or permission of the parish council, town council, or county council, as the case may be, such period of temporary absence shall be reckoned as service under the council in whose employment he was immediately before and after such temporary absence, and the amount of his salary, wages and emoluments during such temporary absence shall be deemed to be the amount which he would have received from the council during that period if he had remained in their actual service:

Provided that, in the case of an officer or servant who, after the armistice, voluntarily extended his term of service in the forces, no period of absence during such extension shall be reckoned.

5. The compensating authority may, in their discretion and in consideration of the fact that any officer or servant was appointed to his office as a specially qualified person, or of the fact that he had prior to his appointment served as a deputy, assistant, or clerk to any officer not holding a temporary appointment, add any number of years (not exceeding ten) to the number of years which such officer would otherwise be entitled to reckon for the purpose of computing the compensation to which he would be entitled under the Acts and rules relating to His Majesty's Civil Service as applied by this Act.

2nd Sch. —*cont.*

6. The compensation shall not exceed two-thirds of the annual pecuniary loss suffered by virtue of this Act, or of anything done in pursuance or in consequence of this Act, or if the compensation is payable by way of a capital sum, two-thirds of the capital value of such annual pecuniary loss.

7. No officer or servant shall be entitled to receive both compensation for pecuniary loss and a superannuation or retiring allowance in respect of the same period of service and the same pecuniary loss.

Section 30.

THIRD SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short title.	Extent of Repeal.
8 & 9 Vict. c. 83.	The Poor Law (Scotland) Act, 1845.	Sections thirty-four to forty-five inclusive, sections forty-nine, fifty-one, eighty-eight and eighty-nine.
17 & 18 Vict. c. 91.	The Lands Valuation (Scotland) Act, 1854.	In section twelve the words from "and as soon as such "valuation roll has been "authenticated as aforesaid" to "their respective parishes," and in section eighteen the words from "shall cause such "amount" to "the current "year within such parishes "respectively or". In section forty-one the words from the commencement of the section to "in terms of "this Act; and"
20 & 21 Vict. c. 71.	The Lunacy (Scotland) Act, 1857.	In section fifty-four the words "expenses of assessment, "collection, and remittance, "and," wherever these words occur. In section fifty-five the words "within eight months after "notice by the commission- "ers aforesaid and in the "manner directed by the "said last-mentioned Act".

Session and Chapter.	Short title.	Extent of Repeal.
35 & 36 Vict. c. 62.	The Education (Scotland) Act, 1872.	In section forty-six the words from "and the town council "of every burgh shall" to "for the purpose of promoting "higher instruction".
48 & 49 Vict. c. 16.	The Registration Amendment (Scotland) Act, 1885.	In section eleven the words "or a collector of poor rates".
52 & 53 Vict. c. 50.	The Local Government (Scotland) Act, 1889.	In subsection (2) of section twenty-seven the words "Subject to the provisions "hereinafter contained". Subsection (4) of section twenty-seven and subsection (5) of section sixty.
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act, 1892.	In section two hundred and sixty-seven the words from "and provided also that" to the end of the section. Sections three hundred and forty-six and three hundred and forty-seven.
57 & 58 Vict. c. 58.	The Local Government (Scotland) Act, 1894.	In subsection (1) of section twenty-seven the words "as "ascertained for the purposes of the Poor Law "(Scotland) Act, 1845". In subsection (1) of section thirty-eight the words "as "ascertained for the purposes of the Poor Law "(Scotland) Act, 1845," and the words "in terms of sec"tion eighty-nine of the said "Act." Subsection (7) of section forty-four. In subsection (3) of section fifty-one the words from "including the collection of "rates" to "or burgh "commissioners," except so far as applied by any local Act.
59 & 60 Vict. c. 37.	The Agricultural Rates Congested Districts and Burgh Tax Relief (Scotland) Act, 1896.	Section one.

3rd Sch. —*cont.*

Session and Chapter.	Short title.	Extent of Repeal.
1 Edw. 7. c. 24.	The Burgh Sewerage, Drainage and Water Supply (Scotland) Act, 1901.	In section two the words from "Provided also that for "shops" to "in the manner "provided in the principal "Act".
3 & 4 Geo. 5. c. 38.	The Mental Deficiency and Lunacy (Scotland) Act, 1913.	In subsection (2) of section sixty-five the words "and "provided also that the consent of the Board shall "be required to any assessment levied by the parish "council acting as a district "board".
8 & 9 Geo. 5. c. 48.	The Education (Scotland) Act, 1918.	Subsections (2), (3) and (5) of section thirteen. The proviso to paragraph 5 and paragraph 6 of the Fourth Schedule.
13 & 14 Geo. 5. c. 39.	The Agricultural Rates Act, 1923.	Sections eight and twelve.

CHAPTER 48.

An Act to amend the law relating to certification of deaths and the disposal of the dead.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Prohibition of disposal except on registrar's certificate or coroner's order.

1.—(1) Subject as hereinafter provided, the body of a deceased person shall not be disposed of before a certificate of the registrar given in pursuance of this Act or an order of the coroner has been delivered to the person effecting the disposal:

Provided that it shall be lawful for the person effecting the disposal by burial of the body of any deceased person, if satisfied by a written declaration in the prescribed form by the person procuring the disposal that a certificate of the registrar or order of the coroner has been issued in respect of the deceased, to proceed with the burial notwithstanding that the certificate or order has not been previously delivered to him.

(2) Any person contravening the provisions of this section shall be liable on summary conviction to a fine not exceeding ten pounds.

Registrar's certificate and coroner's order.

2.—(1) The registrar, upon registering any death, shall forthwith give to the person giving information concerning the death a certificate under his hand that he has registered the death; but may, before registering the death and subject to such conditions as may be prescribed, upon receiving written notice of the occurrence of a death in respect of which he has received a medical certificate under section twenty of the Births and Deaths Registration Act, 1874, as amended by this Act, give to the person sending the notice, if required to do so, a certificate under his hand that he has received notice of the death; and any such certificate shall be given without fee:

37 & 38 Vict. c. 88.

Provided that the registrar shall not issue any certificate in any case in which he is satisfied that an order has been issued by the coroner authorising the burial of the body.

(3) Where the body of a deceased person has been removed into England for disposal, and no order has been given by a coroner in respect thereof, the registrar of the sub-district in which it is intended to dispose of the body, if it appears that the death is not required by law to be registered in England, shall give upon application by the person procuring the disposal and upon payment of the prescribed fee a certificate to that effect in the prescribed form.

(4) A person to whom any certificate issued by the registrar under this section is delivered shall transmit it to the person effecting the disposal.

(5) A registrar by whom a certificate has been given under this Act may, upon receiving a satisfactory explanation of any circumstances by reason of which such certificate is not available for the purposes of this Act, issue on payment of the prescribed fee a duplicate thereof either to the person to whom the original certificate was given or to the person effecting the disposal; and any such duplicate certificate shall be in a distinctive form.

Notification of disposal to registrar.

3.—(1) The person effecting the disposal of the body of any deceased person shall, within ninety-six hours of the disposal, deliver to the registrar in the prescribed manner a notification as to the date, place and means of disposal of the body.

(2) The registrar shall, on the expiration of the prescribed period after the issue of a certificate by him or of an order by the coroner in respect of a deceased person, if no notification as aforesaid has been previously received by him of the disposal of the body of the deceased, make enquiry of the person to whom the certificate or order was given; and it shall be the duty of such person to give information to the best of his knowledge and belief as to the person having the custody of the certificate or order, the place in which the body is lying, or, if the body has been disposed of, the person effecting the disposal.

Prohibition of removal of body out of England without notice.

4. The body of a deceased person shall not be removed out of England until the expiration of the prescribed period after notice of the removal has been given to the coroner within whose jurisdiction the body is lying or otherwise than in accordance with such procedure as may be prescribed, and any person contravening the provisions of this section shall be liable on summary conviction to a fine not exceeding ten pounds.

Burial of still-born children.

5. It shall not be lawful for a person who has control over or who ordinarily buries bodies in any burial ground to permit to be buried or to bury in such burial ground a still-born child before there is delivered to him either a certificate given by the registrar under the provisions of this Act relating to still-births or, if there has been an inquest, an order of the coroner.

Form and destination of medical certificate of cause of death.

6.—(1) Every certificate of cause of death required to be given by section twenty of the Births and Deaths Registration Act, 1874, shall be in the prescribed form; and the forms to be furnished under paragraph (1) of that section shall be the forms so prescribed.

(2) Notwithstanding anything contained in paragraphs (2) and (3) of section twenty of the Births and Deaths Registration Act, 1874, every certificate of cause of death required to be signed by that section shall be delivered forthwith by the registered medical practitioner by whom the certificate is signed to the registrar, and the registered medical practitioner, on signing a certificate as aforesaid shall give in the prescribed form to some person required by the Births and Deaths Registration Acts, 1836 to 1901, to give information concerning the death, notice in writing of the signing of the certificate, and that person shall, except where an inquest is held on the body of the deceased person, deliver the said notice to the registrar.

Registration of still-births.

7.—(1) The birth of every still-born child shall be registered by the registrar in a register of still-births containing the heads of information prescribed in the First Schedule to this Act.

(2) In the case of every still-birth, it shall, unless there has been an inquest, be the duty of the person who would, if the child had been born alive, have been required by the Births and Deaths Registration Acts, 1836 to 1901, to give information concerning the birth, to give information to the registrar of the particulars required to be registered concerning the still-birth; and every such person upon giving information shall either—

(i) deliver to the registrar a written certificate that the child was not born alive, signed by a registered medical practitioner or certified midwife who was in attendance at the birth or who has examined the body of such child; or

(ii) make a declaration in the prescribed form to the effect that no registered medical practitioner or certified midwife was present at the birth, or has examined the body, or that his or her certificate cannot be obtained and that the child was not born alive.

(3) Subject to the provisions of this Act, and subject to the prescribed exceptions, the provisions of the Births and Deaths Registration Acts, 1836 to 1901, shall apply to the registration and entry of a still-birth as they apply to the registration or entry of the birth of a child born alive.

(4) The registrar upon registering a still-birth shall, if so required, give, either to the person giving information concerning the still-birth or to the person who has control over or who ordinarily buries bodies in a burial ground in which it is intended to bury the still-born child, a certificate under his hand in the prescribed form that he has registered the still-birth, but may, on receiving written notice of a still-birth accompanied by a certificate given by a registered medical practitioner or certified midwife under the foregoing provisions of this section, before registering the still-birth give to the person sending the notice a certificate that he has received notice of the still-birth, and any certificate given under this subsection shall be given without fee.

Payment of fees.
6 & 7 Will. 4. c. 86.

8.—(1) In addition to the fee to be paid to any registrar under the provisions of section twenty-nine of the Births and Deaths Registration Act, 1836, as amended by section thirty-one of the Births and Deaths Registration Act, 1874, there shall be paid in respect of each entry of death in the register an additional sum of three pence.

(2) Where the person effecting the disposal is the incumbent of a parish, the fee payable to the incumbent in respect of the disposal shall be increased by the sum of sixpence.

Regulations.

9. The Minister of Health, with the concurrence of the Secretary of State, may make regulations—

(*a*) prescribing the period and form of notice to be given to the coroner of an intention to remove a body out of England; and as to the procedure upon removal and the notification of the registrar as to the date and place of such removal;

(*b*) imposing any conditions and restrictions with respect to means of disposal otherwise than by burial or cremation, as to the period of time a body may be retained after death in an inhabited house or other premises or with respect to embalming or preservation, which may appear to be desirable in the interests of public health or public safety.

Application to cremation. 2 Edw. 7. c. 8.

10. The power to make regulations under section seven of the Cremation Act, 1902, shall include a power to make regulations for the purpose of applying the provisions of this Act to cases where human remains are disposed of by cremation, and except as may be provided by any such regulations this Act shall not apply to cremation.

Penalties.

11. Any person contravening any of the provisions of this Act in respect of which no penalty is expressly imposed shall be liable on summary conviction to a fine not exceeding forty shillings.

Definitions.

12. In this Act, unless the context otherwise requires—

"Prescribed" means prescribed by the Registrar-General with the concurrence of the Minister of Health;

"Registrar" means, with respect to any death or birth the registrar who is the registrar for the sub-district in which the death or birth takes place;

"disposal" means disposal by burial, cremation or any other means, and "disposed of" has a corresponding meaning;

"person effecting the disposal" means the person by whom or whose officer the register of burials in which the disposal is to be registered is kept, except that in the case of a burial under the Burial Laws Amendment Act, 1880, in the

43 & 44 Vict. c. 41.

churchyard or graveyard of a parish or ecclesiastical district the expression "person effecting the disposal" shall be construed as referring to the relative, friend, or legal representative having charge of or being responsible for the burial of the deceased person;

"still-born" and "still-birth" shall apply to any child which has issued forth from its mother after the twenty-eighth week of pregnancy and which did not at any time after being completely expelled from its mother, breathe or show any other signs of life.

Repeals, extent, short title and commencement.

13.—(1) The enactments set out in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) This Act shall not apply to Scotland or Northern Ireland.

(3) This Act may be cited as the Births and Deaths Registration Act, 1926, and the Births and Deaths Registration Acts, 1836 to 1901, and this Act may be cited together as the Births and Deaths Registration Acts, 1836 to 1926.

(4) This Act shall come into operation on the first day of July, nineteen hundred and twenty-seven.

SCHEDULES.

FIRST SCHEDULE.

Form of Register of Still-Births.

Section 7.

No.	When and Where Born.	Sex.	Name and Surname of Father.	Name and Maiden Name of Mother.	Rank or Profession of Father.	Signature, Description, and Residence of Informant.	When Registered.	Nature of Evidence upon which registered as Still-born.	Signature of Registrar.

Section 13.

SECOND SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
37 & 38 Vict. c. 88.	The Births and Deaths Registration Act, 1874.	Section seventeen and in section eighteen the words from "and shall" to "coroner."
43 & 44 Vict. c. 41.	The Burial Laws Amendment Act, 1880.	Section eleven.
44 & 45 Vict. c. 2.	The Burial and Registration Acts (Doubts Removal) Act, 1881.	The whole Act.

CHAPTER 49.

An Act to continue certain Expiring Laws.
[15th December 1926.]

WHEREAS the Acts mentioned in the Schedule to this Act are, in so far as they are in force and are temporary in their duration, limited to expire as respects the Acts mentioned in Part I. of that Schedule on the thirty-first day of December, nineteen hundred and twenty-six, and those mentioned in Part II. thereof are limited to expire on the thirty-first day of March, nineteen hundred and twenty-seven:

And whereas it is expedient to provide for the continuance, as in this Act mentioned, of those Acts and of the enactments amending or affecting the same:

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Continuance of Acts in Schedule.

1.—(1) The Acts mentioned in Part I. of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of December, nineteen hundred and twenty-seven, and shall then expire, unless further continued.

(2) The Acts mentioned in Part II. of the Schedule to this Act shall, to the extent specified in column three of that Schedule, be continued until the thirty-first day of March, nineteen hundred and twenty-eight, and shall then expire, unless further continued.

(3) Any unrepealed enactments amending or affecting the enactments continued by this Act shall, in so far as they are temporary in their duration, be continued in like manner, whether they are mentioned in the Schedule to this Act or not.

Short title and application to Northern Ireland.

2.—(1) This Act may be cited as the Expiring Laws Continuance Act, 1926.

(2) This Act shall apply to Northern Ireland in so far as it deals with any enactment relating to a subject with respect to which the Parliament of Northern Ireland has not power to make laws, but subject to this provision this Act shall not apply to Northern Ireland.

SCHEDULE.

Part I.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(1) 46 & 47 Vict. c. 60.	The Labourers (Ireland) Act, 1883.	The whole Act -	48 & 49 Vict. c. 77. 49 & 50 Vict. c. 59. 54 & 55 Vict. c. 48. 54 & 55 Vict. c. 71. 55 & 56 Vict. c. 7. 59 & 60 Vict. c. 53. 61 & 62 Vict. c. 37. 3 Edw. 7. c. 37. 6 Edw. 7. c. 37. 7 Edw. 7. c. 44. 9 Edw. 7. c. 42. 1 & 2 Geo. 5. c. 19. 4 & 5 Geo. 5. c. 32. 8 & 9 Geo. 5. c. 20. 9 & 10 Geo. 5. c. 55.
(2) 58 & 59 Vict. c. 21.	The Seal Fisheries (North Pacific) Act, 1895.	The whole Act -	2 & 3 Geo. 5. c. 10.
(3) 4 Edw. 7. c. 24.	The Wireless Telegraphy Act, 1904.	The whole Act -	6 Edw. 7. c. 13. 15 & 16 Geo. 5. c. 67.
(4) 2 & 3 Geo. 5. c. 2.	The Coal Mines (Minimum Wage) Act, 1912.	The whole Act -	10 & 11 Geo. 5. c. 50.

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(5) 4 & 5 Geo. 5. c. 3.	The Grey Seals Protection Act, 1914.	The whole Act.	——
(6) 4 & 5 Geo. 5. c. 78.	The Courts (Emergency Powers) Act, 1914.	So far as it relates to orders made by any court before the thirty-first day of August, nineteen hundred and twenty-two.	6 & 7 Geo. 5. c. 13. 6 & 7 Geo. 5. c. 18. 7 & 8 Geo. 5. c. 25. 9 & 10 Geo. 5. c. 64. 10 & 11 Geo. 5. c. 5. 13 & 14 Geo. 5. c. 8.
(7) 6 & 7 Geo. 5. c. 12.	The Local Government (Emergency Provisions) Act, 1916.	Sections six, seven, and nine; subsection (7) of section thirteen; paragraph (3) of section twenty-two.	——
(8) 6 & 7 Geo. 5. c. 55.	The Local Government (Emergency Provisions) (No. 2) Act, 1916.	The whole Act -	11 & 12 Geo. 5. c. 12.
(9) 7 & 8 Geo. 5. c. 19.	The Coroners (Emergency Provisions) Act, 1917.	The whole Act.	——
(10) 8 & 9 Geo. 5. c. 23.	The Juries Act, 1918	Section seven.	——
(11) 8 & 9 Geo. 5. c. 34.	The Statutory Undertakings (Temporary Increase of Charges) Act, 1918.	So far as it relates to tramway undertakings.	10 & 11 Geo. 5. c. 14.
(12) 9 & 10 Geo. 5. c. 35.	The Housing, Town Planning, &c. Act, 1919.	Section twenty-five.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(13) 9 & 10 Geo. 5. c. 60.	The Housing, Town Planning, &c. (Scotland) Act, 1919.	Section twenty-two.	——
(14) 9 & 10 Geo. 5. c. 92.	The Aliens Restriction (Amendment) Act, 1919.	Section one.	——
(15) 9 & 10 Geo. 5. c. 97.	The Land Settlement (Scotland) Act, 1919.	Sections one and two.	12 & 13 Geo. 5. c. 52.
(16) 10 & 11 Geo. 5. c. 21.	The Harbours Docks and Piers (Temporary Increase of Charges) Act, 1920.	The whole Act -	12 & 13 Geo. 5. c. 23.
(17) 10 & 11 Geo. 5. c. 47.	The Ministry of Food (Continuance) Act, 1920.	So far as it authorises the making, or revoking in whole or in part, of Parts I. and III. of the Sale of Food Order, 1921, and provides for the enforcement and imposes penalties for the breach thereof.	——
(18) 10 & 11 Geo. 5. c. 57.	The Unemployment (Relief Works) Act, 1920.	The whole Act.	——
(19) 10 & 11 Geo. 5. c. 58.	The Shops (Early Closing) Act, 1920.	The whole Act -	11 & 12 Geo. 5. c. 60.
(20) 10 & 11 Geo. 5. c. 65.	The Employment of Women, Young Persons and Children Act, 1920.	Section two.	——

1. Session and Chapter.	2. Short Title.	3. How far continued.	4. Amending Acts.
(21) 11&12Geo.5. c. 66.	The National Health Insurance (Prolongation of Insurance) Act, 1921.	The whole Act.	——
(22) 12&13Geo.5. c. 27.	The Canals (Continuance of Charging Powers) Act, 1922.	The whole Act -	15&16Geo. 5. c. 2.
(23) 14&15Geo.5. c. 38.	The National Health Insurance Act, 1924.	Section fifty-four.	——

PART II.

(24) 59 & 60 Vict. c. 16.	The Agricultural Rates Act, 1896.	The whole Act -	2 Edw. 7. c. 42. 7 Edw. 7. c. 13. 13 & 14 Geo. 5. c. 39.
(25) 59 & 60 Vict. c. 37.	The Agricultural Rates, Congested Districts, and Burgh Land Tax Relief (Scotland) Act, 1896.	The whole Act -	60 & 61 Vict. c. 53. 7 Edw. 7. c. 13. 1 & 2 Geo. 5. c. 49. 13 & 14 Geo. 5. c. 39.
(26) 13&14Geo.5. c. 39.	The Agricultural Rates Act, 1923.	The whole Act, except section fifteen.	15 Geo. 5. c. 10.

CHAPTER 50.

An Act to provide for the discontinuance of the Burgh Registers of Sasines in Scotland.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Burgh register of sasines discontinued.

1. The whole burgh registers of sasines in Scotland shall be discontinued in the manner aftermentioned:

(1) As soon as the office of the keeper of any burgh register falls vacant, the town council having the right of appointment to such office shall appoint an interim keeper, and shall intimate the vacancy to the Secretary of State, whereupon the Secretary of State may by order under his hand direct the discontinuance of such burgh register of sasines, and the Secretary of State shall cause such order to be recorded in the division or divisions of the general register of sasines applicable to the county or counties mentioned opposite to such burgh in the First Schedule to this Act annexed, and a copy of such order to be transmitted to the town clerk of the said burgh, and shall cause such order to be advertised in the Edinburgh Gazette, and in any newspaper or newspapers he may deem proper; and such order shall specify the day, not being less than one calendar month after the date of such publication in the Edinburgh Gazette, from and after which such burgh register of sasines is to be discontinued; and after the date so to be specified in any such order, as regards the burgh register of sasines to which such order shall apply, it shall not be competent to present, or for the town clerk of such burgh to receive, any writ for registration therein; and any writ which, previous to the discontinuance of such burgh register might competently have been presented for registration therein,

shall, after the said discontinuance, be registrable in the general register of sasines in the division thereof applicable to the county mentioned opposite to such burgh in the First Schedule to this Act annexed or to the county mentioned in the said schedule opposite to the part of the burgh in which the property to which the writ relates is situated, and such registration in the general register of sasines shall have all the force and effect previously attached to registration in the appropriate burgh register of sasines; and all such writs may be registered in the general register of sasines, not only for publication, but as in the books of council and session for preservation, or for preservation and execution in like manner with other writs registrable in the general register of sasines: Provided that (subject as hereinafter in this section provided) where the office of keeper of any burgh register of sasines is held jointly by two or more persons a vacancy in such office shall not be held to occur so long as any of such holders continues in office: Provided further that no joint appointment to such office of keeper shall be made after this Act comes into operation, but without prejudice to the appointment of any joint town clerk.

(2) The town council of any burgh may, with the consent of the keeper or joint keepers for the time being of the burgh register of sasines for that burgh, pass a resolution that such register shall be discontinued, and upon the passing of such resolution a vacancy shall be held to have occurred in the office of the keeper of such register and the foregoing provisions of this section shall apply to such vacancy.

Transmission of burgh registers of sasines to keeper of the records.

2.—(1) As soon as conveniently may be, and in any case not later than one month after the discontinuance of a burgh register of sasines, the whole volumes thereof, from and after the first day of January, eighteen hundred and seventy, and all minute books and presentment books and other public records relating thereto, shall be transmitted by the town clerk to the keeper of the records in such manner as the keeper of the records may direct or approve, and such volumes and records shall be kept in the custody of the keeper of the records, subject to right of access thereto, and inspection thereof, by members of the public, on such conditions as the Treasury may from time to time prescribe after consultation with the Lord President of the Court of Session, the Lord Advocate, and the Lord Justice Clerk.

(2) The volumes and records of the burgh register so transmitted to the keeper of the records shall remain the property of the burgh from which they were transmitted, and shall be re-transmitted to the town clerk of such burgh as follows: At the end of ten years after the discontinuance of such burgh register the portion applicable to the period from the first day of January, eighteen hundred and seventy, to the thirty-first day of December, eighteen hundred and seventy-four, shall be returned, and at the end of each period of five years thereafter the portion applicable to the five years immediately following those already returned shall be returned until the whole volumes have been returned:

Provided that the keeper of the records, if he or the keeper of the general register of sasines finds it necessary, may, from time to time, with the consent of the Secretary of State, retain the custody of such volumes and records, or require the same or any prior volumes and records to be transmitted to him, for such period as the Secretary of State may fix, but not in any case exceeding three years.

(3) The town council of any burgh mentioned in the First Schedule to this Act shall, notwithstanding anything in this Act contained, be responsible for the safe custody of any volumes of the burgh register of sasines for that burgh and relative records which have not been transmitted to the keeper of the records or which have been returned, and shall allow to all members of the public reasonable access to such volumes and records and inspection thereof: Provided that any such town council may, at any time, if they so resolve, deliver such volumes and records to the keeper of the records for permanent custody, and the keeper of the records shall be bound to receive the same, and thereupon all responsibility and obligation of such town council with reference thereto shall cease and determine: Provided further that the custody of such volumes by the keeper of the records shall be subject always to right of access thereto and

inspection thereof by members of the public, on such conditions as the Treasury may from time to time prescribe, after consultation with the Lord President of the Court of Session, the Lord Advocate, and the Lord Justice Clerk.

Responsibilities of town clerks transferred to keeper of general register of sasines.

3. The keeper of the general register of sasines shall, from and after the discontinuance of the burgh registers of sasines, or any of them, be subject to such and the like responsibilities and liabilities with respect to the registration in the general register of sasines of writs which, but for the discontinuance of the burgh registers of sasines, or any of them, would have been registrable therein, as the said keeper is now subject to with reference to the registration in the general register of sasines of writs now registrable therein.

Repeal.

4. From and after the date of the discontinuance of the burgh register of sasines of any burgh, the Acts specified in the Second Schedule to this Act are, in their application to that burgh, hereby repealed to the extent mentioned in the third column of that schedule.

Register of booking for burgh of Paisley.

5. The provisions of this Act shall apply with the necessary modifications to the register of booking for the burgh of Paisley in like manner as they apply to the burgh registers of sasines of the other burghs mentioned in the First Schedule to this Act.

Short title.

6. This Act may be cited as the Burgh Registers (Scotland) Act, 1926.

Sections 1, 2 and 4.

SCHEDULES.

FIRST SCHEDULE.

Name of Burgh.	Division of General Register of Sasines applicable thereto.	Name of Burgh.	Division of General Register of Sasines applicable thereto.
Aberdeen	County of Aberdeen.	Edinburgh	County of Edinburgh.
Annan	,, Dumfries.	Elgin	County of Elgin and Forres.
Anstruther (Wester).	,, Fife.	Falkland	County of Fife.
		Forfar	,, Forfar.
Aberbrothock or Arbroath.	,, Forfar.	Forres	,, Elgin and Forres.
Auchtermuchty	,, Fife.	Fortrose	County of Ross and Cromarty.
Ayr	,, Ayr.		
Banff	,, Banff.	Glasgow	County of the Barony and Regality of Glasgow.
Brechin	,, Forfar.		
Burntisland	,, Fife.		
Crail	,, Fife.		
Cullen	,, Banff.	Haddington	County of East Lothian.
Culross	,, Fife.		
Cupar	,, Fife.		
Dingwall	,, Ross and Cromarty.	Inverbervie	County of Kincardine.
Dumbarton	County of Dumbarton.	Inverkeithing	,, Fife.
		Inverness	,, Inverness.
Dumfries—			
So much of the Royalty as lies within the County of Dumfries.	County of Dumfries.	Inverurie or Keithhall.	,, Aberdeen.
		Irvine	,, Ayr.
		Jedburgh	,, Roxburgh.
		Kinghorn	,, Fife.
The remainder of the Royalty.	County of the Stewartry of Kirkcudbright.	Kintore	,, Aberdeen.
		Kirkcaldy	,, Fife.
Dunbar	County of East Lothian.	Kirkcudbright	,, the Stewartry of Kirkcudbright.
Dundee	County of Forfar.		
Dunfermline	,, Fife.	Kirkwall	Counties of Orkney and Zetland.
Dysart	,, Fife.		
Earlsferry	,, Fife.		

Name of Burgh.	Division of General Register of Sasines applicable thereto.
Lanark - -	County of Lanark.
Lauder - -	,, Berwick.
Linlithgow -	,, West Lothian.
Lochmaben -	,, Dumfries.
Montrose -	,, Forfar.
Nairn - -	,, Nairn.
Newburgh -	,, Fife.
New Galloway	,, the Stewartry of Kirkcudbright.
North Berwick	County of East Lothian.
Paisley - -	County of Renfrew.
Peebles - -	,, Peebles.
Perth - -	,, Perth.
Pittenweem -	,, Fife.
Queensferry -	,, West Lothian.
Renfrew -	,, Renfrew.
Rothesay -	,, Bute.
Rutherglen—	
So much of the Royalty as lies within the City of Glasgow.	County of the Barony and Regality of Glasgow.
The remainder of the Royalty.	County of Lanark.
St. Andrews -	,, Fife.
Sanquhar -	,, Dumfries.
Selkirk - -	,, Selkirk.
Stirling - -	,, Stirling.
Stranraer -	,, Wigtown.
Tain - -	,, Ross and Cromarty.
Whithorn -	County of Wigtown.
Wigtown -	County of Wigtown.

SECOND SCHEDULE.

Section 4.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
Act 1681, c. 11.	Act concerning the registration of seisins and reversions of tenements within burgh.	The whole Act.

2ND SCH. —*cont.*

Session and Chapter.	Title or Short Title.	Extent of Repeal.
49 Geo. 3. c. 42.	Public Records (Scotland) Act, 1809.	Section nine. Section eleven so far as it requires magistrates of royal burghs to examine the progress and state of the records framed and kept in virtue of the Act 1681, c. 11.
10 Geo. 4. c. 19.	The Registration of Sasines Act, 1829.	Section two.
20 & 21 Vict. c. 26.	The Registration of Leases (Scotland) Act, 1857.	In section one—the words "other "than lands and heritages held "by burgage tenure, and to record "in the several burgh registers "of sasines probative leases for "the period foresaid of lands "and heritages within the burgh "for which such register is kept, "and held by burgage tenure."
31 & 32 Vict. c. 64.	Land Registers (Scotland) Act, 1868.	Section twenty-seven.
31 & 32 Vict. c. 101.	The Titles to Land Consolidation (Scotland) Act, 1868.	Section one hundred and thirty-six. In section one hundred and forty-one—the words "in the case of "lands not held by burgage "tenure" and the words "and "in the case of lands held by "burgage tenure the register or "registers of the burgh or burghs."
37 & 38 Vict. c. 94.	The Conveyancing (Scotland) Act, 1874.	Section twenty-five so far as it requires the recording of writs in any burgh register of sasines or in the register of booking for the burgh of Paisley.
14 & 15 Geo. 5. c. 27.	The Conveyancing (Scotland) Act, 1924.	Schedule F from the words "*or* in "the Register of the Burgh "of K" to the words "*or* the "Burghs of K, L, and M."

CHAPTER 51.

An Act to amend the law with respect to the supply of electricity. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

CONSTITUTION AND GENERAL POWERS OF CENTRAL ELECTRICITY BOARD.

Constitution of Central Electricity Board.

1.—(1) For the purposes of this Act there shall be established as soon as may be after the passing of this Act a body to be called the Central Electricity Board (in this Act referred to as the Board), consisting of a chairman and seven other members appointed by the Minister of Transport after consultation with such representatives or bodies representative of the following interests as the Minister thinks fit, that is to say, local government, electricity, commerce, industry, transport, agriculture, and labour.

(2) A person shall be disqualified for being appointed or being chairman or a member of the Board so long as he is a Member of the Commons House of Parliament.

(3) The chairman of the Board and any member of the Board who is, by the terms of his appointment, required to devote the whole of his time to the performance of his duties under this Act shall, within three months after his appointment, sell any securities which he may hold in his own name or in the name of a nominee for his own benefit in any company carrying on the business of supplying electricity or the manufacture or sale of machinery or plant for the generation or transmission of electricity; and it shall not be lawful for the chairman or any such member of the Board whilst he holds office to purchase for his own benefit any securities in any such company, and if the chairman or any such member of the Board under any will or

succession becomes entitled for his own benefit to any securities in any such company, he shall sell them within three months after he has so become entitled thereto.

(4) Any member of the Board shall, if he is interested in any company with which the Board has or proposes to make any contract, disclose to the Board the fact and nature of his interest, and shall take no part in any deliberation or decision of the Board relating to such contract, and such disclosure shall be forthwith recorded in the minutes of the Board.

(5) Where the chairman or other member of the Board becomes disqualified for holding office or is absent from the meetings of the Board for more than six months consecutively, except for some reason approved by the Minister of Transport, or fails to comply with the foregoing provisions of this section, the Minister of Transport shall forthwith declare the office to be vacant, and shall notify the fact in such manner as he thinks fit, and thereupon the office shall become vacant.

(6) The Board shall be a body corporate with power to hold land without licence in mortmain and shall have power to regulate their own procedure:

Provided that the quorum of the Board shall not be less than one-third of the full number of the Board.

(7) The Board may act notwithstanding a vacancy in their number.

(8) A person appointed to be the chairman or to be a member of the Board shall hold office for such term not less than five years nor more than ten years as may be determined by the Minister before his appointment.

(9) The Board shall appoint a secretary and such other officers and servants as the Board may determine, and there shall be paid out of the fund hereinafter established to the members of the Board, or any of them, such salaries or fees and allowances for expenses as the Minister of Transport may determine, and to the secretary, officers and servants of the Board such salaries and remuneration, and, on retirement or death, such pensions and gratuities, as the Board may determine; and any expenses incurred by the Board in the exercise

and performance of their powers and duties under this Act shall be defrayed out of the said fund.

(10) The Board shall have a common seal, and the seal of the Board shall be authenticated by the signature of the chairman of the Board or some other member of the Board authorised by the Board to act in that behalf, and of the secretary, or some other person authorised by the Board to act in that behalf.

(11) Every document purporting to be an order or other instrument issued by the Board and to be sealed with the seal of the Board authenticated in manner provided by this section, or to be signed by the secretary or any person authorised to act in that behalf, shall be received in evidence and be deemed to be such order or instrument without further proof unless the contrary is shown.

General powers and duties of Board.

2.—(1) The Board shall be charged with the duty of supplying electricity to authorised undertakers in accordance with the provisions of this Act, but shall not, save as hereinafter expressly provided, themselves generate electricity, and the Board shall have such further powers and duties as are provided by this Act.

(2) It shall be lawful for the Board to enter into arrangements with any authorised undertakers for the delegation to them of any of the powers of the Board under this Act which the Board think can more expediently be exercised locally.

(3) Where proposals are made to the Board by any association of owners of generating stations which, by virtue of this Act, become selected stations within an area for which a scheme has been adopted under this Act for the delegation to the association of any powers and duties of the Board within that area, then, if the Board are satisfied that the association making the proposals is a fit and proper body to carry out those powers and duties, the Board shall comply with the proposals if and so far as they consider it practicable to do so without prejudice to the efficient discharge of the general duties of the Board, or to the efficient execution of the scheme within the area, but subject to such conditions as the Board may think fit to impose.

(4) The Board shall not delegate any of their powers with respect to selected stations without the consent of the owners of those stations, nor shall they delegate their power of adopting schemes or fixing a tariff under this Act.

Appointment of consultative technical committees.

3.—(1) The Board may appoint one or more consultative technical committees consisting of engineers employed in connection with undertakings comprising generating stations which are by virtue of this Act for the time being selected stations.

(2) A consultative technical committee shall give advice and assistance on such matters as may be referred to the committee by the Board, and for that purpose the committee shall meet from time to time as the Board may determine.

Provisions as to Scheme.

Preparation and carrying out of scheme.

4.—(1) The Electricity Commissioners shall, as soon as practicable, prepare and transmit to the Board a scheme or schemes relating to the respective areas specified therein—

(*a*) determining what generating stations (whether existing stations or new stations) shall be the stations (in this Act referred to as selected stations) at which electricity shall be generated for the purposes of the Board;

(*b*) providing for interconnection, by means of main transmission lines to be constructed or acquired by the Board, of selected stations with one another and with the systems of authorised undertakers, and, where the scheme relates to a specified area, for interconnection by means of such lines of the system of the Board in that area with the system of the Board in any other area with respect to which a scheme is then in force or may subsequently be made;

(*c*) providing for such standardisation of frequency as may be essential to the carrying out of the proposals for such interconnection as aforesaid;

(*d*) enabling or requiring temporary arrangements (to be in force during the carrying out of the works specified in the scheme) to be made between the Board and owners of generating stations (whether authorised undertakers or not) with respect to the giving and taking to and by the Board of supplies of electricity, and with respect to the working of generating stations (whether selected stations or not) by the owners thereof;

(*e*) containing such supplemental, incidental and consequential provisions as may appear necessary or expedient for any of the purposes aforesaid:

Provided that neither a railway generating station operated by a railway company at the date of the passing of this Act, nor a generating station belonging to any canal, inland navigation, dock or harbour undertakers, and operated by the owners thereof at the date of the passing of this Act, nor a private generating station, shall, without the consent of the owners thereof, be included in the scheme as a selected station, nor shall the owners of such a station be required to enter into any temporary arrangements under a scheme, and a scheme shall not authorise the acquisition of a main transmission line belonging to any such undertakers or the owners of a private generating station without the consent of the owners thereof.

(2) The Board shall cause every scheme to be published, and shall give public notice of the date (not being less than one month from the date of the notice) by which authorised undertakers and other persons interested may make representations thereon, and the Board after considering the scheme and such representations, and after holding such inquiries (if any) as they think fit, may adopt the scheme either without modifications, or subject to such modifications as they think fit, and either generally or as respects any part of the area specified in the scheme, and shall publish the scheme as so adopted by them, and where the scheme has been adopted as respects part of the said area it may subsequently be adopted as respects other parts of the area.

(3) As soon as a scheme is so adopted and published either generally or as respects any part of the area specified therein, it shall be the duty of the Board to

carry out and give effect to the scheme, or to carry out and give effect to the scheme within the said part of the area, as the case may be:

Provided that, if any authorised undertakers on whom obligations are imposed by the scheme consider that the carrying out of those obligations would be prejudicial to them, they may, within one month after the publication of the scheme as adopted, by notice in writing, specifying the nature of the complaint and of the relief sought by them, require the Board to refer the matter complained of to the arbitration of a barrister (or in Scotland an advocate) qualified for appointment to judicial office appointed by the Minister of Transport from panels to be set up by the Lord Chancellor and the Lord President of the Court of Session respectively for the purpose, and the Board shall refer the matter accordingly, unless they amend the scheme by relieving the complainants of such obligations as aforesaid, and shall not, pending the determination of the complaint, unless the complaint is one with respect to which no relief other than pecuniary compensation can be awarded, carry the scheme into effect so far as it affects the complainants.

(4) The arbitrator to whom any such matter is so referred may, in any case in which he thinks it expedient to do so, call in the aid of one or more qualified assessors and hear the case wholly or partially with the assistance of such assessors, and may, if satisfied as to the justice of the complaint, either order such pecuniary compensation to be made to the complainants as seems equitable in all the circumstances or order the scheme to be amended in such manner as he may direct:

Provided that the arbitrator shall not grant any relief other than pecuniary compensation in any case where the Board certify that the grant of such relief would conflict with the basic principles of the scheme or would prejudicially affect the efficiency of the scheme.

(5) A scheme may from time to time be altered or extended by a scheme made and adopted in like manner and subject to the like right of appeal as the original scheme:

Provided that a generating station included in a scheme as a selected station shall not cease to be a selected station without the consent of the owners thereof.

Existing selected stations.

5.—(1) The Board shall make arrangements with the owners of existing generating stations which by virtue of a scheme become selected stations for the stations being operated in accordance with the provisions of this Act, and for such extensions and alterations thereof as may be required by the scheme, and for such additional extensions and alterations as the Board, with the approval of the Electricity Commissioners, may from time to time direct:

Provided that, if the owners of any such station consider that any directions of the Board requiring additional extensions or alterations impose upon them an unreasonable financial burden, the matter shall, if they so require, be referred to the arbitration of a barrister (or in Scotland an advocate) appointed by the Minister of Transport from the appropriate panel set up under section four of this Act, and the arbitrator may in any case in which he thinks it expedient to do so call in the aid of one or more qualified assessors and hear the case wholly or partially with the assistance of such assessors.

(2) If the owners of any such station are unwilling to enter into or fail to carry out any such arrangements to the satisfaction of the Board, the Minister of Transport may by order empower any authorised undertakers or other company or person approved by the Board, or, failing such authorised undertakers, company or person, the Board, to acquire the generating station at a price to be determined in accordance with the provisions of the First Schedule to this Act, but where the generating station is situate in an electricity district for which a joint electricity authority has been constituted that authority shall be given first opportunity to acquire the station, and on payment or tender of such price the Minister of Transport may make an order vesting the generating station in the authorised undertakers, company or person, or the Board:

Provided that an order under this subsection authorising the acquisition of a generating station shall not come into force until it has been laid before each House of Parliament for a period of not less than thirty days on which that House has sat and if either House of Parliament before the expiration of that period presents an address to His Majesty no further proceedings shall be taken thereon.

(3) Where the Board acquire a generating station under this section, they may carry out such extensions or alterations thereof as are required by the scheme or as they think fit, and may either operate it themselves or make arrangements with any authorised undertakers or other company or person to operate it:

Provided that the Board shall not themselves operate such a generating station unless they satisfy the Electricity Commissioners that they are unable to enter into an arrangement with any authorised undertakers or other company or person to operate it on reasonable terms, and where the generating station is situate in an electricity district for which a joint electricity authority has been constituted, the Board shall first endeavour to enter into arrangements with that authority to operate the station.

New selected stations.

6.—(1) The Board may make arrangements with any authorised undertakers in whose area of supply, or in the neighbourhood of whose area of supply, any new generating station required by a scheme is to be situated, for the provision of such station.

(2) If the Board satisfy the Electricity Commissioners that they are unable to enter into an arrangement with any such authorised undertakers for the provision of any such new station on reasonable terms, the Commissioners may by a special order under section twenty-six of the Electricity (Supply) Act, 1919, authorise the Board or any company or person to provide the station.

9 & 10 Geo. 5. c. 100.

(3) Where the Board themselves provide a new generating station, they may operate it themselves, or make arrangements with any authorised undertakers or other company or person to operate it:

Provided that the Board shall not themselves operate such a generating station unless they satisfy the Electricity Commissioners that they are unable to enter into an arrangement with any authorised undertakers or other company or person to operate it on reasonable terms.

Obligations and rights of owners of selected stations.

7.—(1) As from such date as may be fixed by the Board, the owners of a selected station shall be under the obligation—

(*a*) to operate the station so as to generate such quantity of electricity, at such rates of output, and at such times as the Board may direct, and to conduct such operations with due regard to economy and efficiency;

(*b*) to sell to the Board all electricity generated at the station at such price as is hereinafter mentioned.

(2) The owners of a selected station shall (subject to the provisions of this Act enabling the Board to require authorised undertakers to take the whole of their supply from the Board and without prejudice to the powers of such owners to demand a supply under the other provisions of this Act) be entitled to be supplied by the Board from that station at such price as hereinafter mentioned with such amount of electricity as they may require for the purposes of their undertaking not exceeding the amount generated at the station.

(3) The price to be paid by the Board to the owners of a selected station for electricity generated thereat shall, unless otherwise agreed, be the cost of production to be ascertained in accordance with the rules contained in the Second Schedule to this Act.

(4) The price at which electricity shall be supplied by the Board from a selected station to the owners of that station shall unless otherwise agreed be either—

(*a*) the cost of production ascertained in manner provided by subsection (3) of this section adjusted according to the load factor and power factor of the supply given to the owners of the selected station, together with a proper proportion of the Board's expenses other than those incurred by the Board in the purchase or generation of electricity; or

(*b*) according to the tariff fixed under this Act for the supply of electricity by the Board;

whichever is the lower.

(5) Where the price to be paid for electricity by or to the Board is to be calculated in accordance with this section, the amount to be paid by or to the Board for a supply in any year shall be ascertained as soon as practicable after the end of the year of account, but the Board shall make to the owners of each selected station monthly payments on account of the net amounts

due from the Board to those owners under this section in accordance with estimates made for the purpose, subject to adjustment as soon after the end of the year of account as the actual liability can be ascertained.

(6) If any question between the Board and the owners of a selected station arises under this section, then, if it relates to the cost of production, it shall be determined by an auditor appointed by the Minister of Transport, and in any other case it shall be determined by the Electricity Commissioners:

Provided that, pending the determination of the question by the auditor or Commissioners, the owners of the station shall comply with any requirements which may be lawfully made by the Board.

15 & 16 Geo. 5. c. lxii. 15 & 16 Geo. 5. c. lxiii.

(7) For the purposes of the agreements contained in the Third Schedule to the London Electricity (No. 1) Act, 1925, and the London Electricity (No. 2) Act, 1925, the Board, in relation to the electricity purchased by the Board from the owners of selected stations in pursuance of this section shall not be deemed to be a consumer within the meaning of paragraph three of the schedule to those agreements.

Construction and acquisition of main transmission lines.

8.—(1) As soon as may be after a scheme under this Act has been adopted as respects any area or part of an area, the Board shall construct and lay down the main transmission lines required for the interconnection of selected stations with one another and with the systems of authorised undertakers in accordance with the scheme so far as it relates to that area or part of an area.

(2) Where a scheme provides for the acquisition by the Board of any main transmission line belonging to any authorised undertakers, such transmission line shall, on notice being given by the Board to the undertakers and on payment or tender to the undertakers of the price to be determined in accordance with the First Schedule to this Act, vest in the Board upon an order to that effect being made by the Minister of Transport.

(3) Where the Board have so acquired a main transmission line and, by reason of the user thereof by the Board, the alteration or replacement of switch gear or other apparatus of any authorised undertakers connected with the line becomes necessary, the Board shall defray

the reasonable expenses incurred by the undertakers in effecting such alteration or replacement, and any question as to whether such alteration or replacement is necessary, or as to the expenses thereof, shall in default of agreement be determined by an arbitrator appointed by the Minister of Transport.

Standardisation of frequency.

9.—(1) The Board may require any authorised undertakers or the owners of any selected station to amend or alter the frequency employed in their undertaking or station, if and so far as such amendment or alteration is required to effect the standardisation of frequency provided by a scheme, or to effect such standardisation of frequency as the Board with the approval of the Electricity Commissioners may think expedient, subject to the payment to the authorised undertakers or owners of any expenses which they may properly incur in carrying such requirements into effect (including the cost of altering or replacing plant belonging to consumers), and the Board shall, if required, advance free of interest such sums as may be necessary to enable the said authorised undertakers and owners to effect such amendment or alteration, and it shall be the duty of the undertakers or owners to comply with such requirements and they are hereby authorised to do so notwithstanding anything in any special Act or Order relating to their undertaking.

(2) The payment of any such expenses and the making of such advances shall be purposes for which the Board may borrow under this Act, but such part of the revenue of the Board as is required to meet the interest on and sinking fund charges in respect of money so borrowed shall be excluded in any computation of receipts made in estimating for the purposes of rating the net annual value of hereditaments, or the yearly rent or value of lands and heritages in Scotland, occupied by the Board for the purposes of their undertaking.

(3) The Board shall be entitled to be repaid by the Electricity Commissioners in each year the sums required to meet the interest and sinking fund charges in respect of money so borrowed, and the payment of such sums shall be treated as part of the expenses of the Electricity Commissioners, but shall be shown as a separate item in their accounts and in their demand notes for contributions towards their expenses:

Provided that the apportionment of the expenses of the Electricity Commissioners under this subsection, instead of being made in accordance with section seven of the Electricity (Supply) Act, 1922, shall be made on the basis of the revenue received from the sale of electricity, other than electricity sold in bulk to authorised undertakers.

12 & 13 Geo. 5. c. 46.

(4) Any question of the amount of the expenses properly incurred by authorised undertakers or owners in carrying out any such requirement shall in default of agreement be determined by the Electricity Commissioners or at the option of the authorised undertakers or owners be referred to the arbitration of a barrister (or in Scotland an advocate) appointed by the Minister of Transport from the appropriate panel set up under section four of this Act, and the arbitrator may, if he thinks it expedient to do so, call in the aid of one or more qualified assessors and hear the case wholly or partially with the assistance of such assessors:

Provided that nothing in this section shall prevent the Board and the authorised undertakers or owners concerned from entering into an agreement fixing the sum to be taken in discharge of the liability of the Board to the undertakers or owners under this section.

(5) Notwithstanding anything in this section—

(*a*) a railway company shall not be required to alter the frequency employed by them in their undertaking or generating station except by an order made in accordance with the provisions of section sixteen of the Railways Act, 1921;

11 & 12 Geo. 5. c. 55.

(*b*) no authorised undertaker from whom any railway company derives a supply of electricity for the purposes of haulage or traction shall be required by the Board to alter the frequency of such supply delivered by them to a railway company unless and until an order as aforesaid has been previously made in respect of the railway company concerned.

(6) Where a scheme under section four of this Act has come into force as respects any area, the powers of the Electricity Commissioners under section twenty-four of the Electricity (Supply) Act, 1919, so far as they

relate to the amendment or alteration of frequency, shall not be exercisable within that area.

Obligation of Board to supply electricity to authorised undertakers.

10.—(1) As soon as the Board, as respects any area or part of an area, notify that they are in a position to supply electricity, the Board shall, subject to the provisions of this Act, be under an obligation to supply either directly or indirectly to any authorised undertakers in that area or part thereof demanding such a supply such an amount of electricity as they require for their undertaking at a price ascertained in accordance with the provisions of this Act:

Provided that, subject to the provisions of this Act relating to the rights of owners of selected stations, the Board shall not—

(*a*) supply electricity directly to authorised undertakers situated in the area of supply of a power company without the consent of the power company unless the undertakers have an absolute right of veto on any right of the power company to supply electricity within the area of supply of those undertakers or any part thereof, or unless the power company are unable or unwilling to supply electricity to such authorised undertakers on reasonable terms and conditions, to be determined in case of dispute by the Electricity Commissioners;

(*b*) without the consent of the joint electricity authority, supply electricity directly to any authorised undertakers in the district of a joint electricity authority which the joint electricity authority are authorised to supply;

(*c*) supply electricity directly to any authorised undertakers in the Edinburgh and Lothians electricity district without the consent of the corporation of Edinburgh.

(2) Where any authorised undertakers have demanded such a supply from the Board, and it appears to the Board that the outlay incurred in providing the main transmission lines required for the supply would, having regard to the supply required, entail unreasonable expense on the Board, they may represent the case to the Electricity Commissioners, and the Commissioners may, if it seems to them to be just, authorise the Board

to impose such terms and conditions as the Commissioners think fit, on the giving of the supply.

(3) Where any authorised undertakers owning a generating station, not being a selected station, demand a supply of electricity from the Board, then, whether or not those undertakers are also the owners of a selected station, the Board may make it a condition of furnishing such a supply that the undertakers shall take the whole quantity of electricity required for their undertaking, directly or indirectly, from the Board, and where any such authorised undertakers demand a supply from any other undertakers who themselves receive a supply from the Board, the last-mentioned undertakers shall, if the Board so require, impose the like condition (which condition those undertakers are, if so required, authorised to impose notwithstanding anything in the special Act or order relating to the undertaking):

Provided that—

(*a*) The Board shall not impose or require the imposition of such a condition unless satisfied that the cost per unit to the undertakers of taking the whole of their supply directly or indirectly from the Board (including any expenditure necessarily incurred by the undertakers in the provision of any plant or apparatus to enable them to use the supply) will for a period of not less than seven years be less than the cost per unit at which electricity is then being produced at the generating station of the undertakers, and in determining such cost of production no account shall be taken of capital charges in respect of capital expended on the station; and

(*b*) where the authorised undertakers feel aggrieved by the imposition of such a condition as aforesaid, they may appeal to the Electricity Commissioners, who, if and so far as the ground of appeal is that the cost of taking the supply from the Board will not be less than the cost at which electricity is being produced by the undertakers, shall, if so requested by the undertakers, refer that question to the arbitration of a barrister (or in Scotland an advocate) appointed by the Minister of Transport from the appropriate panel set up under section four of this Act, and the arbitrator may, if he thinks it expedient to do so, call in the aid of one or more qualified assessors and hear the case wholly or partially with the assistance of such assessors; and

(*c*) where the Board imposes or requires the imposition of such a condition, the Board shall take over the obligations of any such authorised undertakers to receive supplies of electricity in bulk:

Provided that the Board shall not be obliged to take over any such obligation arising under a contract made after the passing of this Act unless the contract has been approved by the Electricity Commissioners.

(4) The Board may, before the carrying out of the works specified in a scheme in any area is completed, if they think fit, enter into arrangements with any authorised undertakers in the area (being undertakers to whom the Board on the completion of the scheme would be entitled to give a direct supply) for giving those undertakers, pending the completion of the works, a supply of electricity of such amount and upon such terms as may be agreed between them.

Tariff for electricity supplied directly by Board to authorised undertakers.

11.—(1) Subject to the provisions of this Act as to the sale of electricity to the owners of selected stations, the price to be charged by the Board for electricity supplied directly by them to authorised undertakers shall be in accordance with such tariff as may be fixed by the Board from time to time, and the tariff shall be fixed so that over a term of years to be approved by the Electricity Commissioners the receipts on income account shall be sufficient to cover the expenditure on income account, including interest and sinking fund charges, with such margin as the Electricity Commissioners may allow.

(2) The tariff shall be so framed as to include as part of the charge and show separately—

(*a*) a fixed kilowatt charges component;

(*b*) a running charges component;

and for this purpose the fixed kilowatt charges component and the running charges component shall be ascertained in accordance with such principles as may be approved by the Electricity Commissioners; or the tariff may be framed in such other manner as may be determined by an order of the Electricity Commissioners, but such an order shall not come into force until it has been laid before each House of Parliament for a period of not less than thirty days on which that House has sat, and if either House of Parliament before the expiration of that period presents an Address to His Majesty no further proceedings shall be taken thereon.

(3) The tariff fixed under this section may, if the Board think fit, be different for different areas.

Price of indirect supply in bulk.

12. Where any authorised undertakers take a supply of electricity directly or indirectly from the Board, the price charged by them for the supply of electricity in bulk to any other authorised undertakers, or for a supply for haulage or traction purposes to a railway company, shall, notwithstanding anything in the special Act or Order relating to their undertaking, be on the same terms as those on which the undertakers receive the supply directly or indirectly from the Board, together with such charges and allowances in respect of any transmission line or part thereof used by the undertakers giving the supply in bulk for the purpose of that supply as are mentioned in the Third Schedule to this Act; and if any question arises as to the amount of the price to be so charged, it shall be determined by the Electricity Commissioners:

Provided that this section shall not affect the price charged for any supply of electricity given in pursuance of a contract made before the passing of this Act.

Limitation on price to be charged to owners of selected stations.

13. Where any authorised undertakers, being the owners of an existing generating station which by virtue of this Act becomes a selected station, who take a supply of electricity from the Board prove to the satisfaction of the Electricity Commissioners that the cost of taking that supply from the Board on the terms provided by this Act in any year exceeds the cost which they would have incurred had this Act not been passed in themselves generating the like quantity of electricity, then the charges by the Board to those undertakers for the supplies of electricity furnished to them shall be so adjusted that the amount charged in that year does not exceed the cost which, in the opinion of the Electricity Commissioners, the undertakers would have incurred in themselves generating the electricity.

Power to close generating stations in certain events.

14.—(1) Where the Board notify to any authorised undertakers owning a generating station, not being a selected station, that the Board are in a position to supply directly or indirectly to those undertakers such quantity of electricity as the undertakers would require for the purposes of their undertaking if the station were closed, and undertake to give such a supply for a period of not less than seven years on specified terms ascertained in accordance with the provisions of this Act, and are satisfied that the cost of the supply on those terms is below the then prevailing cost to those undertakers of generating electricity at the station, and those undertakers refuse, or within three months after such notification fail to agree, to take such supply directly or indirectly from the Board, then, if the Electricity Commissioners are satisfied as respects the next subsequent year that the cost of production of electricity generated by those undertakers at the station substantially exceeded the cost they would have incurred had they purchased the like quantity of electricity directly or indirectly from the Board on the specified terms ascertained as aforesaid, the Electricity Commissioners may, if in their opinion it is expedient that the station should cease to be used as a generating station, by order require the authorised undertakers within such time as the Electricity Commissioners may allow (not being less than six months from the date of the order) to take a supply of electricity in bulk from the Board and shut down the generating station as such.

(2) If any question arises under this section as to whether the cost of production of electricity generated by any undertakers substantially exceeded the cost they would have incurred had they purchased the like quantity of electricity directly or indirectly from the Board on the specified terms, the question shall, if those undertakers so require, be referred to the arbitration of a barrister (or in Scotland an advocate) appointed by the Minister of Transport from the appropriate panel set up under section four of this Act, and the arbitrator may, in any

case in which he thinks it expedient to do so, call in the aid of one or more qualified assessors and hear the case wholly or partially with the assistance of such assessors.

(3) In calculating for the purposes of this section the cost of production of electricity generated by the authorised undertakers, no account shall be taken of capital charges in respect of capital expended on the generating station.

(4) For the purposes of this section, any authorised undertakers owning a generating station not being a selected station shall on being so required by the Electricity Commissioners furnish them with a statement showing the cost of production of electricity at that station for such period and certified in such manner as the Commissioners may direct.

Compensation for deprivation of employment.
12 & 13 Geo. 5. c. 46.

15. Section sixteen of the Electricity (Supply) Act, 1919, as amended by section twenty-one of the Electricity (Supply) Act, 1922, shall, with the necessary adaptations, apply to any officer or servant of any authorised undertakers affected by the closing (permanent or temporary) or restrictions imposed by the Board or by or under a scheme on the working or use of, or the acquisition of, a generating station, or by the acquisition of a main transmission line or any part thereof, under or in consequence of this Act, and for that purpose that section as so amended shall have effect as set out and adapted in the Fourth Schedule to this Act.

Powers of authorised undertakers.

16.—(1) Where under this Act the Board is authorised or required to enter into arrangements with authorised undertakers for any purpose, then, notwithstanding anything in any Special Act or Order, or any other instrument regulating the constitution or powers of the undertakers, it shall be lawful for the authorised undertakers, whether a joint electricity authority a local authority or a company, to enter into and carry out any such arrangements.

(2) The carrying out of any such arrangements shall be a purpose for which authorised undertakers, being a local authority or a joint electricity authority may borrow under the Electricity (Supply) Acts, 1882 to 1922.

(3) Where the carrying out of any such arrangement by authorised undertakers, being a company,

involves capital expenditure, and owing to limitations on the powers of the company to raise capital the company cannot raise the necessary capital without the authority of an Act of Parliament, the company may submit to the High Court (or in Scotland the Court of Session), a scheme providing for increasing all or any of the existing classes of loan or share capital of the company, or creating new classes of loan or share capital, with such rights, priorities and conditions as may be specified in the scheme; and if the scheme is approved by the Court, then, notwithstanding anything in any special Act affecting the company or the holders of any class of loan or share capital in the company, the additional capital of each class shall form part and rank pari passu with the existing capital of that class, and any new class of capital may with the consent of the majority in value of the holders of any class of security affected rank before any existing class of capital.

Provisions consequent on acquisition by the Board of generating station or main transmission line.

17.—(1) Where a generating station acquired under this Act by any authorised undertakers, company, or person, or by the Board, or a main transmission line acquired under this Act by the Board, is in course of construction, extension, or repair, the rights and liabilities of the former owners thereof under any contract for such construction, extension, or repair, shall be transferred to the body so acquiring the generating station or main transmission line (in this Act referred to as "the acquiring authority").

(2) Where any generating station acquired by an acquiring authority under this Act contains any plant which forms an essential part of the distribution system of the former owners of the generating station, that plant shall, notwithstanding such acquisition, remain the property of such former owners who shall, so long as electricity is supplied for distribution from that station, at all times have the right of access thereto.

Saving for necessity of obtaining certain consents.

18.—(1) Where the carrying out of any part of a scheme, or any arrangement or requirement in connection therewith, would involve any operation for which any consent or approval of the Minister of Transport or the Electricity Commissioners would be necessary under the Electricity (Supply) Acts, 1882 to 1922, nothing in the foregoing provisions of this Act shall relieve the Board or any authorised undertakers or other persons concerned from the necessity of obtaining such consent or approval.

(2) Where an application is made by any authorised undertakers to the Minister of Transport or the Electricity Commissioners for their consent or approval under the Electricity (Supply) Acts, 1882 to 1922, in any case where such consent or approval is by those Acts required, the Minister or Commissioners, in determining whether to give or withhold the consent or approval, shall have regard to the provisions of this Act and the effect of any scheme or proposed scheme thereunder.

Special provisions as to London.

19. Where any obligation to carry out any technical scheme imposed on a joint electricity authority, local authority, company or body by or under the London and Home Counties Electricity District Order, 1925, or the London Electricity (No. 1) Act, 1925, or the London Electricity (No. 2) Act, 1925, conflicts with any obligation arising out of a scheme under section four of this Act which is imposed by or under this Act on any such authority, company or body, the last mentioned obligation shall prevail.

SUBSIDIARY PROVISIONS AS TO THE BOARD.

Application of Electricity Supply Acts to Board.

20.—(1) Subject to the provisions of this section, the Board shall be deemed to be undertakers and authorised undertakers within the meaning of the Electricity (Supply) Acts, 1882 to 1922, and this Act in relation to the Board shall be deemed to be a special Act for the purposes of those Acts, and for the purposes of this section there shall be incorporated with this Act the provisions of the Schedule to the Electric Lighting (Clauses) Act, 1899, subject to such exceptions and modifications as may be prescribed by regulations made by the Electricity Commissioners:

62 & 63 Vict. c. 19.

Provided that section thirteen of the Electric Lighting Act, 1882 (which relates to the breaking up of private streets, railways and tramways), and sections two and three of the Electric Lighting Act, 1888 (which relate to the purchase of undertakings by local authorities), shall not apply to the undertaking of the Board, and that section twenty of the Schedule to the Electric Lighting (Clauses) Act, 1899, in its application to the Board, shall have effect as if after the words "electric

45 & 46 Vict. c. 56.

signalling communication" wherever they occur, there were inserted the words "or electrical control of railways."

(2) Before any such regulations come into force they shall be laid before each House of Parliament for a period of not less than thirty days on which that House has sat, and if either House of Parliament, before the expiration of that period, presents an address to His Majesty no further proceedings shall be taken thereon.

(3) The Board shall not supply electricity directly to persons not being authorised undertakers, except that—

(*a*) they may supply the owners of selected stations, not being authorised undertakers, to the extent to which those owners are entitled to demand a supply under this Act;

(*b*) with the consent of the Electricity Commissioners, they may supply electricity to any company, body, or person requiring a supply for power purposes in any area not forming part of the area of supply of any authorised undertakers, but where electricity is supplied by the Board to a company, body or person requiring a supply for power purposes it may be used by that company, body or person for lighting any premises in any part of which the power is utilised.

Acquisition of land by the Board.

21.—(1) The Board may acquire land or any easements or servitudes or other rights in or over land by agreement, or may be authorised to acquire land or any such right compulsorily, for the purpose of any of their powers and duties under this Act (including the construction of main transmission lines) in like manner as a local authority being authorised undertakers may acquire or be authorised to acquire land under the Electricity (Supply) Acts, 1882 to 1922, for the purpose of a generating station, and those Acts and the Acts incorporated therewith shall apply accordingly; and the Board shall be deemed to be a public authority for the purposes of the Acquisition of Land (Assessment of Compensation) Act, 1919:

9 & 10 Geo. 5. c. 57.

Provided that the Electricity Commissioners shall not make and the Minister of Transport shall not confirm any special order authorising the Board to acquire land or a right in or over land compulsorily for the purposes of a main transmission line unless satisfied that the objects sought to be attained cannot consistently with efficiency and economy be attained by the acquisition of a wayleave in accordance with the provisions of section twenty-two of the Electricity (Supply) Act, 1919.

(2) Nothing in this section shall authorise the compulsory acquisition by the Board of land held by the owners or lessees of any railway, canal, inland navigation, dock, or harbour for the purposes of their undertaking, or enable the Board to acquire compulsorily any easement, servitude, or other right in or over such land otherwise than in accordance with the provisions of section twenty-two of the Electricity (Supply) Act, 1919, and section eleven of the Electricity (Supply) Act, 1922.

Power of Board to use main transmission lines by agreement.

22. The Board may, by agreement with any authorised undertakers or other persons, use, subject in the case of authorised undertakers to the Acts and Orders relating to the undertaking, any main transmission lines of those undertakers or persons for such time and upon such terms as may be agreed.

Power of Board to purchase surplus electricity.

23.—(1) The Board and any local authority company or person producing electricity by means of the utilisation of water power, waste heat, or otherwise, may enter into arrangements for the purchase by the Board of any surplus electricity which the local authority company or person may be able to dispose of on such terms as may be agreed, and the Board may be authorised by order of the Electricity Commissioners to exercise such powers (including the power to break up roads, railways, and tramways) as may be necessary for the purpose of conveying the electricity so purchased.

(2) The provisions of subsection (2) of section fifteen of the Electricity (Supply) Act, 1919, shall apply to the Board in like manner as they apply to a joint electricity authority.

Protection of Government observatories, &c.

24.—(1) The Board shall not provide, construct, equip, or alter or use any generating station, sub-station, transformer station, building, plant, machinery, electric main, appliance work or apparatus, or use or permit to be used, transmit, convert, or transform any electrical energy either under this Act or otherwise in such a manner as to affect injuriously in any respect whatever either by vibration or obstruction or smoke or by electric or electro-magnetic action or influence, or by any means whatsoever whether similar to those enumerated or not any Government observatory or laboratory existing at the passing of this Act or any instrument or apparatus in or adjacent thereto, and used in or in connection therewith.

(2) Section twenty-six of the Electric Lighting Act, 1882, and any enactments incorporated by that section, as amended by section twenty-five of the Electricity (Supply) Act, 1919 (which contain provisions for the protection of the Postmaster-General) shall, in their application to the Board, have effect as if references therein to the Postmaster-General included references to any other Government Department.

Annual report, statistics and returns.

25.—(1) The Board shall annually, at such date and in such form as the Minister of Transport may prescribe, make to him a report of their proceedings under this Act during the preceding year, and such report shall be laid before both Houses of Parliament.

(2) The Board shall furnish to the Electricity Commissioners at such times and in such form and manner as the Commissioners may direct such statistics and returns as they may require.

FINANCIAL PROVISIONS.

Expenses of the Board.

26. All sums received by the Board shall be paid into a separate fund, and out of that fund the salaries, fees and allowances of the members of the Board and the salaries, remuneration, pensions and gratuities of the secretary officers and servants of the Board, and all expenses incurred by the Board, shall be paid, including repayment to the Electricity Commissioners of any expenses incurred by those Commissioners in the preparation of any schemes under this Act, and payment to the Minister of Transport of any expenses and liabilities incurred by him before the commencement of this Act preliminary to the preparation of such schemes, together with interest in either case at the rate of five per cent. per annum.

Power of Board to borrow.

27.—(1) For the purposes hereinafter mentioned the Board may with the consent of the Electricity Commissioners and subject to regulations to be made by the

Minister of Transport with the approval of the Treasury, borrow money, in such manner and subject to such provisions as to the repayment thereof, and with such powers as to re-borrowing for the purpose of paying off a loan previously raised, as may be prescribed by the regulations, and the regulations may empower the Board to borrow temporarily by the issue of bonds or otherwise and to make arrangements with bankers, and may apply with or without modifications any enactments relating to borrowing by local authorities, including provisions as to the enforcement of the security by the appointment of a receiver or otherwise.

(2) Such powers of borrowing as aforesaid may be exercised for all or any of the following purposes:—

(*a*) the construction or acquisition of such main transmission lines, generating stations, and other works as the Board are authorised by this Act to construct or acquire;

(*b*) any other payment or any permanent work or other thing which the Board are authorised to execute or do, the cost of which ought, in the opinion of the Electricity Commissioners, to be spread over a term of years (including the payment of interest on money borrowed for capital expenditure for such period as may be determined by the Electricity Commissioners after consultation with the Treasury to be the period during which the expenditure remains unremunerative);

(*c*) the provision of working capital;

(*d*) any other purpose for which the Board are under this Act authorised to borrow.

(3) Any money borrowed under this section, and the interest thereon, may be charged on the undertaking and all the revenues of the Board, or on any specific property forming part of that undertaking, and shall be repaid within such period not exceeding sixty years as the Electricity Commissioners may determine.

(4) The maximum amount which may be borrowed by the Board under this section shall be thirty-three and a half million pounds, and the Board shall not have power to borrow any sums in excess of that amount, otherwise than for the purpose of paying off loans previously raised, unless authorised to do so by a special

order under section twenty-six of the Electricity (Supply) Act, 1919.

(5) It shall be lawful for any annual provision required to be made by the Board for the repayment of money borrowed for any of the purposes of this Act, to be suspended whilst the expenditure out of such moneys remains unremunerative, for such period and subject to such conditions as the Electricity Commissioners after consultation with the Treasury may determine:

Provided that such suspension shall not be for a longer period than five years from the commencement of the financial year next after that in which such expenditure is incurred.

28.—(1) The Board may, for the purpose of raising money which they are authorised to borrow under this Act, issue stock (to be called Central Electricity Stock).

Power to authorise issue of stock.

(2) All such stock, and interest thereon, shall be charged on the undertaking, and on all the revenues of the Board.

(3) Subject to the provisions of this Act, any stock created by the Board under the powers of this Act shall be issued, transferred, dealt with, and redeemed, according to regulations made by the Minister of Transport with the approval of the Treasury, and any such regulations may apply for the purpose of this section, with or without modifications, any provisions of the Local Loans Act, 1875, the Public Health Acts Amendment Act, 1890, and the Acts amending those Acts, and of any Act relating to stock issued by any local authority.

38 & 39 Vict. c. 83.
53 & 54 Vict. c. 59.

29.—(1) Subject to the provisions of this section, the Treasury may guarantee in such manner as they think fit, the payment of the interest and principal of any loan proposed to be raised by the Board, or of either the interest or the principal:

Power to Treasury to guarantee loans to Board.

Provided that the aggregate amount of the loans, the principal or interest of which may be so guaranteed, shall not exceed thirty-three and a half million pounds.

(2) Such sums as may from time to time be required by the Treasury for fulfilling any guarantees given under this section shall be charged on and issued out of the Consolidated Fund of the United Kingdom or the growing produce thereof.

(3) The repayment to the Treasury of any sums so issued out of the Consolidated Fund, together with interest thereon at such rate as the Treasury may fix, shall be a charge on the undertaking and all the revenues of the Board next after the principal and interest of the guaranteed loan, and any sinking fund payments for the repayment of the principal thereof, and in priority to any other charges not existing at the date on which the loan is raised.

(4) All sums paid from time to time in or towards the repayment of any sum issued out of the Consolidated Fund under this section shall be paid into the Exchequer.

(5) The Treasury shall so long as any such guarantees are in force, lay before both Houses of Parliament in every year within one month after the thirty-first day of March a statement of the guarantees (if any) given during the year ended on that date, and an account up to that date of the total sums (if any) which have been either issued out of the Consolidated Fund under this section or paid in or towards repayment of any money so issued.

Accounts and audit.

30.—(1) The Board shall cause proper books of account and other books in relation thereto to be kept, and shall prepare an annual statement of accounts in such form and containing such particulars as may be prescribed by the Minister of Transport.

(2) The accounts of the Board and their officers shall be audited by auditors appointed by the Minister of Transport, and the audit shall be conducted in accordance with such regulations as may be prescribed by the Minister of Transport.

(3) As soon as the accounts of the Board have been audited the Board shall send a copy thereof to the Minister of Transport together with a copy of any report of the auditor thereon, and shall publish the accounts in such manner as the Minister of Transport may direct, and shall place copies thereof on sale at a price not exceeding one shilling a copy.

MISCELLANEOUS PROVISIONS.

Charges for electricity supplied by power companies.

31.—(1) On a power company commencing to receive a supply of electricity from the Board, the Minister of Transport may revise the maximum prices authorised under the special Act of the company to be charged by the company for supplies, other than supplies in bulk to authorised undertakers, and may revise the standard prices fixed by such Act and on such revision in determining the maximum and standard prices regard shall be had to any change in the cost of electricity to the company attributable to this Act.

(2) Where a special Act passed before the passing of this Act authorises such a power company to make good any deficiency in any previous dividends which have fallen below the prescribed standard rate of dividends, the Electricity Commissioners may, after such inquiry as they think fit, by special order made under section twenty-six of the Electricity (Supply) Act, 1919, make provision for the repeal or limitation of any such authorisation, and where such an order is made the special Act shall have effect subject to the provisions of the order.

Relation of charges to dividends.

32.—(1) Where any company, being authorised undertakers and not being a power company, receive a supply of electricity either directly or indirectly from the Board, the Electricity Commissioners may, if, having regard to any change in the cost of electricity to the company attributable to this Act, they think it expedient, by a special order under section twenty-six of the Electricity (Supply) Act, 1919, make provision as to the relation between the charges to be made for electricity and the dividends to be paid by the company, and the order shall have effect as if the provisions contained therein were in substitution for the provisions (if any) contained in the Act or order relating to the undertaking of the company as to the relation of charges to dividend:

Provided that where any such company carries on two or more separate undertakings one or more of which receive a supply from the Board, any such order shall regulate the charges to be made for electricity in the case of the undertaking or each of the several undertakings receiving such a supply in relation to the divisible profits on the capital attributable to that undertaking.

(2) The provisions of this section shall not apply to any company which is a London company within the meaning of the London and Home Counties Electricity District Order, 1925, or to any company which

may be formed under the agreement set out in the Fourth Schedule to the London Electricity (No. 1) Act, 1925, or to any company formed for the purpose of such an amalgamation of undertakings as is provided for by section eight of the London Electricity (No. 2) Act, 1925.

Adoption of Local Government and Other Officers' Superannuation Act, 1922. 12 & 13 Geo. 5. c. 59.

33. The Board and any Joint Electricity Authority respectively may (without prejudice in the case of any such authority to the provisions contained in subsection two of section eight of the Electricity (Supply) Act, 1919) if they think fit, adopt the provisions of the Local Government and Other Officers' Superannuation Act, 1922, in the same manner as if the Board or such Joint Electricity Authority, as the case may be, were a local authority within the meaning of the said Act of 1922, and upon that Act being so adopted by the Board or a joint electricity authority the Act shall apply as if the Board or the authority, as the case may be, were such a local authority as aforesaid.

Power to lop trees and hedges obstructing electric lines.

34.—(1) Where any tree or hedge obstructs or interferes with the construction, maintenance, or working of any main transmission line or other electric line which is being constructed or is owned by any authorised undertakers, or will interfere with the maintenance or working of such a line, the authorised undertakers may give notice to the owner or occupier of the land on which the tree or hedge is growing requiring him to lop or cut it so as to prevent the obstruction or interference, subject to the payment to him by the authorised undertakers of the expenses reasonably incurred by him in complying with the notice:

Provided that, in any case where such a notice is served upon a person who, although the occupier of the land on which the tree or hedge is growing, is not the owner thereof, a copy of the notice shall also be served upon the owner thereof, if known.

(2) If within twenty-one days from the giving of such notice the requirements of the notice are not complied with, and neither the owner nor occupier of the land gives such a counter notice as is hereinafter mentioned, the authorised undertakers may cause the tree or hedge to be lopped or cut so as to prevent such obstruction or interference as aforesaid.

(3) If, within twenty-one days from the giving of such notice, the owner or occupier of the land on which the tree or hedge is growing gives a counter notice to the authorised undertakers objecting to the requirements of the notice, the matter shall, unless the counter notice is withdrawn, be referred to the Minister of Transport, who, after giving the parties an opportunity of being heard, may make such order as he thinks just, and any such order may empower the authorised undertakers (after giving such reasonable previous notice to any person by whom such counter notice was given of the commencement of the work as the order may direct) to cause the tree or hedge to be lopped or cut so as to prevent such obstruction or interference as aforesaid, and may determine any question as to what compensation (if any) and expenses are to be paid.

(4) The authorised undertakers shall issue instructions to their officers and servants with a view to securing that trees and hedges shall be lopped or cut in a woodmanlike manner and so as to do as little damage as may be to trees, fences, hedges, and growing crops, and shall cause the boughs lopped to be removed in accordance with the directions of the owner or occupier, and shall make good any damage done to the land.

(5) Any compensation or expenses payable to the owner or occupier by the authorised undertakers under this section shall be recoverable summarily as a civil debt.

(6) Where for the purpose of the construction or maintenance of a transmission line it is necessary to fell any trees, this section shall apply to the felling of trees in like manner as it applies to the lopping of trees.

(7) This section shall apply to main transmission lines owned or to be constructed by the Board in like manner as it applies to lines owned or to be constructed by authorised undertakers.

Protection of county bridges.

35.—(1) Unless and except so far as may be otherwise agreed between any county council (in this section referred to as "the county council") and the Board, the following provisions shall have effect (that is to say)—

(*a*) Nothing in this Act shall in any way limit or affect the powers of the county council to rebuild, alter, widen or repair the structure of any bridge upon which any work by this Act authorised shall be constructed, or impose upon the county council any liability which was not by law imposed upon them prior to the commencement of this Act;

(*b*) If at any time the county council require to carry out works for rebuilding, altering, widening or repairing any bridge which might involve interference with any portion of the undertaking by this Act authorised they shall prior to the commencement of such works give the Board one month's notice in writing of their intention to carry out such works and if in order to avoid interruption to the supply by the Board of electrical energy, it is in the opinion of the county council necessary temporarily to remove the mains and other electrical appliances belonging to the Board from such bridge, then the Board shall (and they are hereby authorised so to do) at their own expense temporarily carry their cables and wires across such bridge overhead or at the side thereon in such a manner as will not be a danger or inconvenience to the public, or unreasonably interfere with the works to be carried out by the county council;

(*c*) When the rebuilding, altering, widening or repairing of such bridge shall have been completed the Board shall have the same rights and powers with regard to such bridge and its approaches as they had before the works were carried out;

(*d*) If any dispute arises between the county council and the Board with regard to this section the same shall be determined by an arbitrator to be appointed on the application of either party by the Minister of Transport.

(2) In the application of this section to Scotland, the county council shall mean the county road board, or if the bridge is not wholly situated within one county, the joint bridge committee if such committee has been appointed.

AMENDMENTS OF THE ELECTRICITY SUPPLY ACTS.

Schemes for constitution of electricity districts, and the organisation of supply therein.

36. For section five of the Electricity (Supply) Act, 1919, as amended by section nineteen of the Electricity (Supply) Act, 1922, the following section shall be substituted :—

> "(1) Where it appears to the Electricity Commissioners that with respect to any areas the existing organisation for the supply of electricity therein should be improved, and that a joint electricity authority should be established therefor, the Commissioners shall give notice of their intention to constitute those areas a separate electricity district, and to formulate a scheme for effecting such improvement in the district, and for the establishment of a joint electricity authority for the district:
>
> Provided that, in considering what areas are to be included in a district, areas shall be grouped in such manner as may seem to the Commissioners most conducive to the efficiency and economy of the supply of electricity and the convenience of administration.
>
> (2) After such a notice has been published, the Electricity Commissioners, after consultation with the authorised undertakers in the proposed district, shall formulate such a scheme as aforesaid, and publish the scheme in such manner as they think best adapted for insuring its publicity, and hold a local inquiry thereon, and shall give to authorised undertakers, county councils, local authorities, railway companies using or proposing to use electricity for traction purposes, large consumers of electricity, and other associations or bodies within the proposed district which appear to the Commissioners to be interested, an opportunity of making representations to the Commissioners on the proposed scheme, and with respect to the inclusion in or exclusion from the proposed district of any area."

Contents of schemes.

37. A scheme constituting a joint electricity authority may, in addition to the matters for which provision may be made under section six of the Electricity (Supply) Act, 1919, contain provisions—

(*a*) for the carrying out by the joint electricity authority of any works for the development of the supply of electricity within the district; and

(*b*) for the subsequent alteration of the constitution of the joint electricity authority.

Amendment of schemes.

38.—(1) The power under section seven of the Electricity (Supply) Act, 1919, to make orders altering previous orders shall include power by such subsequent order to constitute a joint electricity authority in any case where the original order did not provide for the constitution of such an authority.

(2) Where any such amending order constitutes a joint electricity authority in lieu of an advisory committee or other body constituted under the original order, the amending order shall provide for the application to officers and servants of the advisory committee or other body of the provisions of section sixteen of the Electricity (Supply) Act, 1919, as amended by section twenty-one of the Electricity (Supply) Act, 1922, subject to the necessary modifications.

Provisions as to companies with large area of supply.

39.—(1) Where after the commencement of this Act a special order is made authorising a company to supply electricity, and the area of supply consists of or includes the whole of the districts of two or more local authorities and is, in the opinion of the Electricity Commissioners, adequate in extent, the following provisions shall have effect with respect to the right of purchasing their undertaking:—

(*a*) The purchasing authority may within six months after the expiration of a period of fifty years from the date of the confirmation of the special order, or such shorter period as may be specified in that behalf in the special order, and within six months after the expiration of every subsequent period of ten years, or such shorter period as may be specified in that behalf in the special order, by notice in writing, require the company to sell, and thereupon the company shall sell to them their undertaking upon the terms of the payment to those undertakers of a sum equal to the capital properly expended for the provision of the land, buildings, works, material, and plant of the undertakers in use or available and suitable for use at the time of the purchase for the purposes of their undertaking, less depreciation according to such scale as may be determined by special order:

(*b*) The Minister of Transport shall determine any questions which may arise in relation to such purchase and may fix the date from which the purchase is to take effect, and as from the date so fixed, or such other date as may be agreed, all lands, buildings, works, material and plant so purchased as aforesaid, shall vest in the purchasing authority, freed from the debts, mortgages, or similar obligations of the undertakers or attached to the undertaking, and the powers of the undertakers in relation to the supply of electricity under the Electricity (Supply) Acts, 1882 to 1926, or such special order as aforesaid, shall absolutely cease and determine, and shall vest in the purchasing authority:

(*c*) The purchasing authority—

(i) where the area of supply is situate wholly or mainly within the district of a joint electricity authority, shall be the joint electricity authority: Provided that, if the area of supply is situate partly within the district of one joint electricity authority and partly in that of another, the right of purchase shall be exerciseable by such one of those authorities, or shall be divisible between them as the Electricity Commissioners may determine;

(ii) in any other case, shall be the local authorities for the districts in which any part of the area of supply is situate, acting through a joint committee or joint board constituted under section eight of the Electric Lighting Act, 1909.

9 Edw. 7. c. 34.

(*d*) Sections two and three of the Electric Lighting Act, 1888, shall not apply.

(2) The special order in any case to which subsection (1) of this section applies may make provision as to the relation between the price charged for electricity and the divisible profits on the capital attributable to the undertaking authorised by the special order.

Terms of purchase of a company taking a bulk supply.

40. Where a company, being authorised undertakers, have ceased to generate electricity themselves, and in lieu thereof are taking a supply of electricity in bulk directly or indirectly from the Board, or, with the approval of the Electricity Commissioners, from any other source, and the undertaking of the company is purchased by a local authority under section two of the Electric Lighting Act, 1888, or under any local Act or Order on terms based on the same principle as those contained in the said section two, the following provisions shall have effect notwithstanding anything contained in that Act:

(1) In addition to the sum payable to the company by the local authority in respect of plant and other assets under the said Act of 1888, or under the said Act as varied by any order, or under any such local Act or Order as aforesaid, there shall be paid a sum representing the capital properly expended upon plant and other assets rendered unsuitable for use by reason of the taking of such bulk supply as aforesaid, after deducting such amount as the company, in the opinion of the Electricity Commissioners, ought properly to have written off in respect of such assets:

(2) Any question arising under this provision shall be determined by the Electricity Commissioners, whose decision shall be final.

Power to alter terms of purchase by agreement.

41. Where under the Electricity (Supply) Acts, 1882 to 1922, or under any order made thereunder, or under any deed of transfer executed in pursuance of powers conferred by any such order, or under any special or local Act, any right to purchase the whole or any part of the undertaking of any authorised undertakers is vested in a local authority (including a joint electricity authority) the authorised undertakers may at any time within ten years before the date of purchase next occurring after the passing of this Act, or within ten years of any subsequent date of purchase enter into a contract with the local authority to amend, vary or alter the terms of purchase on the next occurring date upon which they may purchase upon conditions to be agreed between the parties with the approval of the Electricity Commissioners, and the terms of such agreement shall be binding upon the parties.

Methods of charge.

42.—(1) The charge made by authorised undertakers to any ordinary consumer, may, if duly authorised, and notwithstanding anything in any Act or Order to the contrary, consist of a periodical fixed or service charge and in addition a charge for the actual quantity of energy supplied to the consumer or for the electrical quantity contained in the supply.

Where the undertakers have power to provide meters, electric lines, fittings, apparatus and appliances, the periodical fixed or service charge may include a rent, charge or remuneration in respect of any meter and any electric lines, fittings, apparatus and appliances provided by the undertakers in or upon the premises of the consumer whether let on hire or hire purchase terms to the consumer or otherwise.

(2) A method of charge as aforesaid may be authorised by Special Order or by an approval under the provisions of section thirty-one of the Schedule to the Electric Lighting (Clauses) Act, 1899, or corresponding provision contained in any Act or Order, and such Special Order or approval may provide, where expedient, for an option to ordinary consumers to be charged by an authorised alternative method.

Amendment of Schedule to 62 & 63 Vict. c. 19.

43.—(1) The Schedule to the Electric Lighting (Clauses) Act, 1899, as incorporated with any special Act or Order passed or confirmed whether before or after the commencement of this Act, shall have effect subject to the amendments specified in the Fifth Schedule to this Act.

(2) Any special Act or Order relating to the supply of electricity passed or confirmed before the commencement of this Act which does not incorporate the provisions of the Schedule to the Electric Lighting (Clauses) Act, 1899, which are amended by the Fifth Schedule to this Act, but contains corresponding provisions, shall have effect as if the like amendments were made in those corresponding provisions.

Amendment of s. 21 of the Electricity (Supply) Act, 1919.

44.—(1) Where applications made by any authorised undertakers for consent to the placing of any electric line above ground and wayleaves have not been agreed with the owners or occupiers of any land proposed to be crossed by a line, the undertakers may serve notice in accordance with the provisions of section twenty-two of the Electricity (Supply) Act, 1919, of their proposal to place the line, and the Minister of Transport may proceed concurrently under sections twenty-one and twenty-two of the Electricity (Supply) Act, 1919.

13 & 14 Geo. 5. c. 20.

(2) Where the Board or any authorised undertakers have in pursuance of powers conferred on them under section twenty-two of the Electricity (Supply) Act, 1919, erected on any land supports for an electric line above ground, the Board or undertakers shall, for the purposes of section eight of the Mines (Working Facilities and Support) Act, 1923, be deemed to be persons having an interest in the land on which such supports are erected.

3 & 4 Geo. 5. c. 32.

(3) Where an application has been made to the Minister of Transport for his consent to the placing of any electric line above ground, and representations are made that the line will prejudicially affect any ancient monument within the meaning of the Ancient Monuments Consolidation and Amendment Act, 1913, the Minister of Transport, in determining whether to give or withhold his consent, or to impose conditions, shall take into consideration any recommendations made to him by the Commissioners of Works with a view to preventing the ancient monument being prejudicially affected.

Power to recover charge for reconnection.

45. Any expenses reasonably incurred by any authorised undertakers in reconnecting any electric line or other work through which electricity may be supplied which may have been lawfully cut off or disconnected by reason of any default of the consumer may be recovered by the authorised undertakers in like manner as expenses lawfully incurred by them in such cutting off or disconnecting.

Supply of electricity by railways, &c.

46.—(1) It shall be lawful for the owners of any railway generating station to supply electricity therefrom to the owners of any other railway generating station upon such terms and conditions as may be respectively agreed between them: Provided that no such supply shall be given under the powers conferred by this section without the consent of the Electricity Commissioners.

(2) The Electricity Commissioners may, subject to the provisions of the Electricity (Supply) Acts, 1882 to 1922, and to the Schedule to the Electric Lighting (Clauses) Act, 1899, by order authorise the breaking up of such roads, railways, and tramways as may be necessary for the purpose of such a supply.

(3) The provisions of the Electricity (Supply) Acts, 1882 to 1922, and of the Schedule to the Electric Lighting (Clauses) Act, 1899, so far as they relate to the protection of the Postmaster-General, shall apply to any works for the supply of electricity under this section and in the application of those provisions the owners giving the supply of electricity under the provisions of this section shall be deemed to be undertakers, and nothing in this section shall affect any right or remedy of the Postmaster-General under the Telegraph Acts, 1863 to 1925.

Supply of electricity to railway companies, &c.

47. Where any authorised undertakers may supply and are supplying within their district or area of supply electricity for haulage or traction to any company or authority being the owners or lessees of a railway, dock, harbour or canal undertaking situate partly within and partly without that district or area, such authorised undertakers may, subject to the consent of the Minister of Transport and to such limitations and conditions (if any) as he may prescribe either generally or in any particular case, so supply electricity to be used for any purposes of such undertaking, whether within or without such district or area of supply, and such company or authority may, subject to the consent of the Minister of Transport and to such limitations and conditions (if any) as he may prescribe either generally or in any particular case, use the electricity so supplied for any purposes of their undertaking for which they are entitled to use electricity:

Provided that the Minister of Transport shall not in any case give any such consent until notice of the application for the consent has been given by advertisement or otherwise in such manner as the Minister may direct, and an opportunity has been given to any person who appears to the Minister to be affected of making representations thereon.

Sale of fittings.

48.—(1) Subject to the provisions of this section a joint electricity authority and any local authority authorised by special Act or by Order to supply electricity may sell electric lines, fittings, apparatus, and appliances for lighting, heating, and motive power, and for all other purposes for which electricity can or may be used (in this section called "electric fittings"), and may instal, connect, repair, maintain, and remove the same, and with respect thereto may demand and take such remuneration or rents and charges, and may make such terms and conditions as may be agreed upon.

(2) The exercise of the powers of this section shall be subject to the following restrictions:—

(*a*) The joint electricity authority or local authority shall not manufacture electric fittings unless expressly authorised to do so by special Act or Order;

(*b*) The joint electricity authority or local authority shall not sell electric fittings except—

(i) to a consumer or a person who intends to be a consumer of electricity supplied by them; or

(ii) to a contractor who requires such fittings to enable him to supply them to a person who is, or intends to be, a consumer of electricity supplied by the joint electricity authority or local authority;

(*c*) The prices charged by a joint electricity authority or a local authority for the sale of any electric fittings shall not be less than the recognised retail prices, unless the sale is to a contractor, in which case the prices shall not be less than the recognised trade prices, and if any question shall arise as to what are the recognised retail or trade prices of any electric fittings, that question shall be determined by the committee appointed as hereinafter provided;

(*d*) Every such joint electricity authority or local authority shall so adjust the charges to be made by them under this section as to meet any expenditure incurred by them in the exercise of the powers of this section (including interest upon and sinking fund charges in respect of money borrowed for the purposes of this section);

(*e*) The total sums received and expended by any such joint electricity authority or local authority under this section in each year, including interest upon and sinking fund charges in respect of money borrowed for the purposes of this section, shall be shown separately in the published accounts of the electricity undertaking of such joint electricity authority or local authority.

(3) The Electricity Commissioners shall appoint a committee comprising representatives of associations representing local authorities who are authorised undertakers, contractors, and persons engaged in the business of making and persons engaged in the business of selling electric fittings, such committee to be appointed after consultation with those associations, and that committee shall determine any question which may be raised under this section as to the recognised retail or trade prices of any electric fittings and shall advise and assist the persons concerned as to the method of giving effect to the provisions of this section.

(4) The purposes of this section shall be deemed to be purposes for which the joint electricity authority or the local authority may borrow money.

(5) In this section the expression "contractor" means a person engaged in the business of selling and installing electric fittings.

Special provisions as to gas undertakers. 15 & 16 Geo. 5. c. 44.

49. Where the owners of a gas undertaking apply, under the provisions of the Electricity (Supply) Acts, 1882 to 1922, or the Statutory Gas Companies (Electricity Supply Powers) Act, 1925, for a Special Order, and the Electricity Commissioners decide that they are unable or unwilling to make the Order, the Commissioners shall refer the matter to the Minister of Transport, and thereupon the Minister, subject to compliance with the requirements of the Electricity (Supply) Act, 1919, as to the procedure applicable to the confirmation of Special Orders, may, if he thinks fit, make the Order, and any Order so made shall have effect as if it had been made by the Electricity Commissioners and confirmed by the Minister of Transport.

Minor amendments.

50. The amendments specified in the second column of the Sixth Schedule to this Act (which relate to minor details) shall be made in the provisions of the Electricity (Supply) Acts, 1882 to 1922, specified in the first column of that Schedule.

GENERAL.

Interpretation.

51.—(1) For the purposes of this Act, unless the context otherwise requires—

The expression " generating station " has the meaning given thereto by section thirty-six of the Electricity (Supply) Act, 1919, and not the meaning given thereto by section twenty-five of the Electric Lighting Act, 1909;

The expression "transmission line," when used with reference to a line which is a main transmission line within the meaning of the Electricity (Supply) Act, 1919, shall include all such works as are mentioned in that definition, and, when used with reference to a line which is not such a main transmission line, shall include any works necessary to and used for the control of the transmission line and the transmission of electricity thereby and the buildings or such part thereof as may be required to accommodate those works.

The expression "owners" in relation to a generating station includes lessees or occupiers of the station operating the station;

The expression "authorised undertakers" includes a joint electricity authority;

The expression "local authority" shall include a joint board or a joint committee constituted in pursuance of section eight of the Electric Lighting Act, 1909, or by a special Act passed for the like purpose;

The expression "absolute right of veto" means any unqualified right vested in an authorised undertaker in any Act or Order whereby a power company is restricted from supplying electricity (exclusive of any right of supply for the purposes of any railway, tramway, canal, navigation, dock or harbour, or of any water undertaking) without the consent of such authorised undertaker in any specified area.

(2) Where electricity is supplied to any authorised undertakers by other authorised undertakers who themselves receive a supply from the Board, the first-mentioned undertakers shall for the purposes of this Act be deemed to receive a supply indirectly from the Board, and references in this Act to an indirect supply from the Board shall be construed accordingly.

(3) If and so far as the price for a supply of electricity is under this Act to be the cost of production adjusted according to the load factor, the adjusted price shall be the sum of the following items:—

(*a*) the number of kilowatts of maximum demand in each month of the year of account multiplied by the fixed kilowatt charges component;

(*b*) the number of units supplied to the undertakers during the year of account multiplied by the running charges component.

For the purposes of this subsection—

The number of kilowatts of maximum demand for any month shall be deemed to be twice the largest number of units of electricity supplied to the undertakers during any consecutive thirty minutes in that month: Provided that, if the number of kilowatts of maximum demand so ascertained shall be less than the number of kilowatts of maximum demand in any previous month of the same year of account, payment shall be made on the higher number; and

The "fixed kilowatt charges component" and "running charges component" shall be ascertained in accordance with the rules contained in the Seventh Schedule to this Act.

(4) If and so far as the price for a supply of electricity is under this Act to be adjusted according to power factor or otherwise ascertained, such adjustment or ascertainment shall be made in accordance with regulations to be prescribed by the Electricity Commissioners in that behalf.

(5) Where for the purposes of this Act it is necessary to calculate what the cost of taking a supply of electricity from the Board over a number of years will be, then in making the calculation it shall be assumed that the price of fuel and the rates of wages remain constant.

Short title, construction and extent.

52.—(1) This Act may be cited as the Electricity (Supply) Act, 1926, and shall be construed as one with the Electricity (Supply) Acts, 1882 to 1922, and those Acts and this Act may be cited as the Electricity (Supply) Acts, 1882 to 1926.

(2) This Act shall not extend to Northern Ireland.

SCHEDULES.

FIRST SCHEDULE.

Sections 5 and 8.

Provisions as to the Acquisition of Generating Stations and Main Transmission Lines.

The price of a generating station or main transmission line shall be such sum as may be certified by an auditor appointed by the Electricity Commissioners to have been the amount of the expenses properly incurred on and incidental to the provision of the generating station or main transmission line, less depreciation on a scale fixed by special order:

1st Sch. —*cont.*

Provided that, if the owners of the generating station or main transmission line or the Board are dissatisfied with the sum so certified, the matter in dispute shall, in default of agreement, be determined by the arbitration of a barrister (or in Scotland an advocate) appointed by the Minister of Transport from the appropriate panel set up under section four of this Act, and the arbitrator may, if he thinks it expedient to do so, call in the aid of one or more qualified assessors and hear the case wholly or partially with the assistance of such assessors.

SECOND SCHEDULE.

Section 7.

Rules for Determining Cost of Production of Electricity at Selected Stations.

The cost of production of electricity at any selected station, shall be ascertained by calculating the following costs charges and allowances in respect of the year of account:

(*a*) the sums expended for fuel, oil, water, and stores consumed, for salaries and wages, and any contributions for pensions superannuation and insurance of officers and servants, for repairs and maintenance, and for renewals not chargeable to capital account;

(*b*) sums paid as rents, rates and taxes (other than taxes on profits) and for insurance, in respect of the station;

(*c*) The proper proportion of management and general establishment charges attributable to the station;

(*d*) any other expenses on revenue account attributable to the station;

(*e*) interest (exclusive of interest payable out of capital), on money properly expended for capital purposes (whether defrayed out of capital or revenue) and attributable to the generating station and the plant suitable to and used for the purpose of generating electricity therein, and interest on working capital properly attributable to the station and the production of electricity therein.

The rate of interest for the purposes of this paragraph shall be—

(i) where the owners of a selected station are a joint electricity authority or a local authority, the average rate payable on the money raised by the authority for the purpose;

(ii) where the owners of the station are a company, the average rate of dividends and interest paid by the company on their share and loan capital during the preceding year; so, however, that the rate shall in no case be less than five nor more than six and a half per cent. per annum.

(*f*) an allowance for depreciation of the following amount—

(i) where the owners of the selected station are a joint electricity authority or a local authority an amount equal to the sinking fund charges properly attributable to the station and the plant thereof:

Provided that where part of the expenditure was defrayed otherwise than by means of loans the allowance for depreciation shall be increased by such amount as the Electricity Commissioners think just.

(ii) where the owners of the station are a company, an amount determined in accordance with a scale fixed by special order:

Provided that in the case of any company which is a London company within the meaning of the London and Home Counties Electricity District Order, 1925, the amount of such allowance for depreciation shall not be less than the contributions for the year of account which the company is required to make to the sinking funds under the provisions of the London Electricity (No. 1) Act, 1925, or the London Electricity (No. 2) Act, 1925.

Section 12.

THIRD SCHEDULE.

Authorised Charges and Allowances in respect of Transmission Lines used for giving Bulk Supply to Authorised Undertakers.

The following are the charges and allowances which may be made in respect of a transmission line used by authorised undertakers for giving a supply in bulk to other authorised undertakers:—

(1) The actual cost of the maintenance of the transmission line including renewals thereof not chargeable to capital account:

(2) Sums paid as rents, rates and taxes (other than taxes on profits) and for insurance in respect of the transmission line :

3rd Sch. —*cont.*

(3) A proper proportion of management and general establishment charges attributable to the transmission line :

(4) The cost of units lost in transmission from the station or sub-station from which the supply is given to the station or sub-station at which the supply is taken :

(5) Any other expenses on revenue account attributable to the transmission line :

(6) Interest on money properly expended for capital purposes (whether defrayed out of capital or revenue) and attributable to the transmission line and on such working capital as is properly attributable to the transmission line at the following rate, that is to say :—

(*a*) where the authorised undertakers owning the transmission line are a joint electricity authority or a local authority, the average rate payable on the money raised by the authority for the purpose of constructing the line ;

(*b*) where the authorised undertakers owning the transmission line are a company, the average rate of dividends and interest paid by the company on their share and loan capital during the preceding year ; so, however, that the rate shall in no case be less than five nor more than six and a half per cent. per annum.

(7) An allowance for depreciation of the following amount :—

(*a*) where the authorised undertakers owning the transmission line are a joint electricity authority or a local authority, an amount equal to the sinking fund charges properly attributable to the line :

Provided that, where part of the cost of the construction of the transmission line was defrayed out of revenue, the allowance for depreciation shall be increased by such amount as the Electricity Commissioners think just :

(*b*) where the authorised undertakers owning the transmission line are a company, an amount determined in accordance with a scale fixed by special order :

Provided that, in the case of any company which is a London company within the meaning of the London and Home Counties Electricity District Order, 1925, the amount of such allowance for depreciation shall not be less than the contributions for

3RD SCH. —*cont.*

the year of account which the company is required to make to the sinking funds under the provisions of the London Electricity (No. 1) Act, 1925, or the London Electricity (No. 2) Act, 1925.

If a transmission line is used for giving a supply in bulk to two or more authorised undertakers, or if a transmission line is used partly for giving a supply in bulk and partly for other purposes, the charges and allowances shall be the proper proportion of such charges and allowances as aforesaid.

Section 15.

FOURTH SCHEDULE.

ADAPTATION OF SECTION 16 OF THE ELECTRICITY (SUPPLY) ACT, 1919, AS AMENDED BY SECTION 21 OF THE ELECTRICITY (SUPPLY) ACT, 1922.

If within five years from the date when under or in consequence of this Act a generating station has been closed or acquired or restrictions on the working or use thereof imposed, or a main transmission line or any part thereof has been acquired, any officer or servant who before the closing, acquisition, or imposition of the restrictions was regularly employed by any authorised undertakers, proves to the satisfaction of a referee or board of referees appointed by the Minister of Labour that in consequence of such closing, acquisition or restriction, he—

(i) has suffered loss of employment, or diminution of salary, wages or emoluments, otherwise than on grounds of misconduct, incapacity, or superannuation; or

(ii) has relinquished his employment in consequence of being required to perform duties such as were not analogous or were an unreasonable addition to those which before such closing or acquisition or imposition of restrictions he had been required to perform; or

(iii) had been placed in any worse position in respect to the conditions of his service (including tenure of office, remuneration, gratuities, pension, superannuation, sick or other fund, or any benefits or allowances, whether obtaining legally or by customary practice);

and, in the case of a generating station being closed, or restrictions on the working or use thereof being imposed, the authorised undertakers to whom the station belonged or belongs, or in the case of the acquisition of a generating station or a main transmission line, or any part thereof, the acquiring authority, do not show to the satisfaction of the referee or board of referees that equivalent employment on the like conditions as those obtaining with respect to him at the date when the generating station was closed or restrictions on the working or use thereof were imposed, or the generating station or main transmission line or part thereof was acquired, was available, there shall be paid to him by those undertakers, or the acquiring authority, such compensation as the referee or board of referees may award, including any expenses which the officer or servant necessarily incurs in removing to another locality: 4th Sch. —*cont.*

Provided that, where loss or relinquishment of employment is involved, such compensation shall, in the case of an officer employed on an annual salary, be based on, but not exceed, the amount which would have been payable to a person on abolition of office under the Acts and rules relating to His Majesty's Civil Service in force at the date of the passing of the Local Government Act, 1888, but, in computing the period of service of any officer, service under any authorised undertakers shall be reckoned as service under the authorised undertaker in whose employment he is at the time when the loss or relinquishment of employment occurs; and where any such officer or servant was temporarily absent from his employment whilst serving in or with His Majesty's Forces or the forces of the Allied or Associated Powers, or in any other employment of national importance during the war, such service shall be reckoned as service under the authorised undertakers in whose employment he was immediately before and after such temporary absence.

Any question whether a generating station has been closed or whether any restriction on the working or use thereof has been imposed under or in consequence of this Act shall be determined by the Electricity Commissioners.

The Minister of Labour may make rules as to the procedure before the referee or board of referees under this Schedule and may by those rules provide—

(*a*) for limiting the amount of costs and providing for the taxation thereof;

(*b*) for fixing the fees to be paid to the referee or the members of the board of referees and for determining by whom such fees are to be paid.

Section 43.

FIFTH SCHEDULE.

AMENDMENTS OF SCHEDULE TO THE ELECTRIC LIGHTING (CLAUSES) ACT, 1899.

S. 7 - - In paragraph (1) for the words from " The under-" takers shall carry " to the words " maximum " rate of profit " there shall be substituted the following words :

" The undertakers shall apply the net surplus remaining in any year and the annual proceeds of the reserve fund when amounting to the prescribed limit—

" (*a*) in reduction of the charges for the supply of energy ; or

" (*b*) in reduction of the capital moneys borrowed for electricity purposes ; or

" (*c*) with the consent of the Electricity Commissioners in payment of expenses chargeable to capital; or

' (*d*) in aid of the local rate :

Provided that—

(i) the amount which may be applied in aid of the local rate in any year shall not exceed one and a-half per cent. of the outstanding debt of the undertaking; and

(ii) after the thirty-first day of March, nineteen hundred and thirty, no sum shall be paid in aid of the local rate unless the reserve fund amounts to more than one-twentieth of the aggregate capital expenditure on the undertaking."

S. 14 - - In paragraph 1 (*a*) after the words " one month " there shall be inserted " or in the case of service " lines, seven days."

SIXTH SCHEDULE.

Section 50.

Minor Amendments of Electricity (Supply) Acts, 1882–1922.

Enactment to be amended.	Nature of Amendment.
Electric Lighting Act, 1882 (45 & 46 Vict. c. 56) :—	
s. 3 -	In paragraph (5), the words "until after the expiration of a period of three months from the date of the first publication of such advertisement nor" shall be repealed.
Electricity (Supply) Act, 1919 (9 & 10 Geo. 5. c. 100) :—	
s. 1 -	In subsection (7), after the words "on retirement," there shall be inserted the words "or death."
s. 13 -	In subsection (2), after the words "comprising the area of the local authority" there shall be inserted the words "or by any amending order under section seven of this Act."
s. 15 -	After paragraph (*c*) of subsection (1) the following paragraph shall be inserted :— (*cc*) No order authorising the abstraction of water from any reservoir or other works used by any statutory water undertaker for the purposes of the undertaking shall be made without the consent of such undertaker (which consent shall not be unreasonably refused) and if any question arises as to the reasonableness of any refusal or of the terms sought to be imposed as a condition of giving consent, the question shall be referred to a single arbitrator nominated by the Lord Chief Justice, or in Scotland by the Lord President of the Court of Session, and in any such order there shall be inserted such provisions as the Minister of Health (or, in the case of Scotland, the Scottish Board of Health) may consider proper for safeguarding the interests of the water consumers.

6th Sch. —*cont.*

Enactments to be amended.	Nature of Amendment.
Electricity (Supply) Act, 1919 (9 & 10 Geo. 5. c. 100) :—	
s. 21 -	After the words " local authority " where they first occur, there shall be inserted the words " (including a county " council)," and after the second " local authority " there shall be inserted the words " and (where it is proposed " to place the line along or across any " county bridge or any main road vested " in a county council) the county " council."
s. 32 -	In subsection (3), the words " unless it is " an order made under section seven of " this Act, shall be a special order and " shall be omitted.
Electricity (Supply) Act, 1922 (12 & 13 Geo. 5. c. 46) :—	
s. 21 -	In subsection (1), for the words " not made under the principal Act was in consequence of that Act," there shall be substituted the words " was made under or in consequence of the principal Act."
s. 24 -	The following proviso shall be inserted :— Provided that such supply shall be used in such manner as not to cause or be likely to cause any interference (whether by induction or otherwise) with any telegraphic line belonging to or used by the Postmaster-General or with telegraphic communication by means of such line. This provision shall not apply to an undertaking or part thereof in respect of which any company or authority is authorised to use electricity by Act of Parliament or by an Order confirmed by or having the effect of an Act of Parliament containing provisions for the protection of the telegraphic lines of the Postmaster General in respect of the use of electricity. In this section " telegraphic line " has the same meaning as in the Telegraph Act, 1878.

SEVENTH SCHEDULE.

Section 51.

RULES FOR DETERMINING THE FIXED KILOWATT CHARGES COMPONENT, AND THE RUNNING CHARGES COMPONENT.

1. The cost of production shall be ascertained in accordance with the Second Schedule to this Act.

2. The cost so ascertained shall be allocated as between fixed costs and running costs in accordance with such regulations as may be prescribed by the Electricity Commissioners for the purpose.

3. One-twelfth of the amount of the fixed costs in the year of account, divided by the average of the monthly maximum demands in that year, shall, subject to such variations whether by way of decrease or increase as the Electricity Commissioners may by regulations prescribe, according to the magnitude of the maximum demands of supplies furnished, be the fixed kilowatt charges component.

For the purposes of this provision the "maximum demand in "respect of any month" shall be deemed to be twice the largest number of units of electricity supplied from the generating station during any consecutive thirty minutes in that month:

Provided that, if the number of kilowatts of maximum demand so ascertained for any particular month shall be less than the number of kilowatts of maximum demand for any previous month of the same year of account the higher number shall be taken as the maximum demand for the first-mentioned month.

4. The amount of the running costs divided by the number of units supplied from the generating station during the year of account shall be the running charges component.

CHAPTER 52.

An Act to amend the Small Holdings and Allotments Acts, 1908 to 1919.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I.

SMALL HOLDINGS.

Provision of Small Holdings.

Duties and powers of providing small holdings.

1. Where a county council are satisfied that there is a demand for small holdings in their county by persons who desire to buy or lease and will themselves cultivate the holdings and are able to cultivate them properly, it shall be the duty of the county council to provide small holdings if they are of opinion that they can do so without incurring loss, and, subject to the provisions of this Part of this Act, it shall be lawful for them to do so notwithstanding that it appears to them that a loss may thereby be incurred.

Power of Minister to contribute towards losses.

2.—(1) Where it appears to a county council that the provision of any small holdings will entail a loss, the council shall submit their proposals to the Minister of Agriculture and Fisheries (hereinafter referred to as the Minister), together with estimates in the prescribed form of the expenses (whether on capital or income account) in relation thereto likely to be incurred by the council and of the sums likely to be received by the council either by way of rent or purchase money or otherwise.

(2) If the Minister approves the proposals and estimates of the council, either without modifications or with such modifications as he may require, the Minister may, subject to such conditions as to records, certificates, audit or otherwise as, with the approval of the Treasury,

he may determine, make, or undertake to make, contributions out of moneys provided by Parliament towards the losses likely to be incurred in carrying out the proposals to such an amount as may be specified in the approval; so, however, that the contribution in respect of any year shall not exceed seventy-five per cent. of the amount of loss shown in the approved estimates as likely to be incurred in that year:

Provided that the Minister in considering the estimates submitted to him shall satisfy himself that the estimates are made on the basis of the full fair rent being charged for each holding, and, in the case of any part of the land not being required for the provision of small holdings, of the best price that could reasonably be obtained therefor, if sold, being attributed thereto.

(3) Where the proposals, after having been approved by the Minister, are subsequently varied, then—

(*a*) if the variation is made by the county council without his consent, the Minister may, if he thinks fit, reduce the amount of his contribution;

(*b*) if the variation is made with his consent, the Minister may, subject to the limitation hereinbefore mentioned, vary his contribution either by way of increase or decrease, according to the nature of the variation.

(4) The Minister may, subject to the approval of the Treasury, make regulations for carrying this section into effect:

Provided that every regulation so made shall be laid before both Houses of Parliament as soon as may be after it is made, and if an address is presented by either House within twenty-one days during which that House has sat next after any regulation is laid before it praying that the regulation may be annulled, His Majesty in Council may annul the regulation without prejudice to the validity of anything previously done thereunder.

(5) Where land has been acquired for the purposes of small holdings before the commencement of this Act, or where land is, after the commencement of this Act, acquired under this Part of this Act without the

consent of the Minister, this section shall apply with respect to such expenses only as are likely to be incurred in equipping the land and adapting it for small holdings.

(6) For the purposes of this Part of this Act, the expression "full fair rent" in relation to a small holding means the rent which a tenant might reasonably be expected to pay for the holding if let as such and the landlord undertook to bear the cost of structural repairs.

Power to sell or let to co-operative societies, &c.

3. A county council shall have power—

(*a*) to sell or let one or more small holdings to a number of persons working on a co-operative system, provided such system is approved by the county council; and

(*b*) with the consent of the Minister, to sell or let one or more small holdings to any association formed for the purposes of creating or promoting the creation of small holdings, and so constituted that the division of profits amongst the members of the association is prohibited or restricted.

Power to acquire land for small holdings.

4. For the purpose of providing small holdings for persons who desire to buy or lease and will themselves cultivate the holdings and are able to cultivate them properly, a county council may purchase or take on lease land (whether situate within or without the county) by agreement, or, if the council are unable to obtain by agreement and on reasonable terms suitable land for the purpose, may purchase or take on lease such land compulsorily in accordance with the provisions of the Small Holdings and Allotments Act, 1908 (hereinafter referred to as the principal Act) relating to the compulsory acquisition of land:

8 Edw. 7. c. 36.

Provided that the county council shall not acquire land for such purpose as aforesaid without the consent of the Minister unless the council are satisfied that the transaction will not involve any loss to the council, and where land is so acquired without the consent of the Minister, it shall not be lawful for the Minister to make or undertake to make any contribution under the foregoing provisions of this Act towards the cost of the acquisition of the land:

Provided also that the county council before acquiring any land outside the county shall consult with the council of the county in which the land is situated.

Regulations as to purchase money and sale.

5.—(1) Where a county council sell a small holding, the consideration (except where otherwise specifically provided in this Act) shall be a terminable annuity of an amount equal to the full fair rent of the holding for a period of sixty years, or, at the option of the purchaser, a terminable annuity for a period of less than sixty years of an equivalent capital value.

(2) The terminable annuity shall be payable by equal half-yearly instalments, the first instalment being payable on completion, and shall, so far as not paid on completion, be secured by a charge on the holding in favour of the council.

(3) The council may, if they think fit, postpone for a term not exceeding five years, the payment of all or any part of the terminable annuity, except so much as is payable on completion, in consideration of capital expenditure by the purchaser which in the opinion of the council increases the value of the holding, but shall do so on such terms as will in their opinion prevent them from incurring any loss or increased loss.

(4) A small holding may be sold subject to such rights of way or other rights as the council may consider necessary or expedient.

(5) Any question under this section as to what is the full fair rent of a small holding, or the amount of a terminable annuity, shall be determined by the county council.

Conditions affecting small holdings.

6.—(1) A small holding sold by a county council under this Act, shall for a term of forty years from the date of the sale, and thereafter so long as the holding remains charged with the terminable annuity, be held subject to the following conditions:—

(*a*) Any periodical payments due in respect of the terminable annuity shall be duly made:

(*b*) The holding shall not be divided, sold, assigned, let, or sublet without the consent of the county council:

(*c*) The holding shall be cultivated by the owner or occupier as the case may be, in accordance with the rules of good husbandry as defined in the Agricultural Holdings Act, 1923, and shall not be used for any purpose other than agriculture:

13 & 14 Geo. 5. c. 9.

(*d*) Not more than one dwelling-house shall be erected on the holding unless, in the opinion of the council, additional accommodation is required for the proper cultivation of the holding:

(*e*) Any dwelling-house erected on the holding shall comply with such requirements as the county council may impose for securing healthiness and freedom from overcrowding:

(*f*) Any dwelling-house or other building erected on the holding shall be kept in repair and insured against fire by the owner to the satisfaction of the county council, and the receipts for premiums produced when required by them:

(*g*) No dwelling-house or building on the holding shall be used for the sale of intoxicating liquors:

(*h*) In the case of any holding on which, in the opinion of the county council, a dwelling-house ought not to be erected, no dwelling-house shall be erected on the holding without the consent of the county council:

Provided that a county council may, if they think fit, subject, in the case of a holding in respect of which a contribution is payable by the Minister, to the consent of the Minister, as respects the whole or any part of the holding, either at the time of the sale or subsequently, and either without consideration or for such consideration as they think fit, relax or dispense with any of the above conditions.

The Minister may, in giving his consent to any such relaxation or dispensation, impose such terms as he thinks fit, including a requirement as to the consideration to be charged, and the application thereof in whole or in part in satisfaction of any contributions payable by him under this Part of this Act.

(2) If any such condition is broken, the council may, after giving the owner an opportunity of remedying the breach (if it is capable of remedy), either take possession of the holding or order the sale of the holding without taking possession.

(3) If, on the decease of the owner while the holding is subject to the conditions imposed by this section, the holding would, by reason of any devise, bequest, intestacy, or otherwise, become subdivided, the council may require the holding to be sold within twelve months after such decease to some one person, and if default is made in so selling the holding, the council may either take possession of the holding or order the sale of the holding without taking possession.

(4) A small holding let by a county council shall be held subject to the conditions on which it would under this section be held if it were sold, except so far as those conditions relate to the terminable annuity and to repairs and insurance against fire; and, if any such condition or any term of the letting is broken, the council may, after giving the tenant an opportunity of remedying the breach (if it is capable of remedy), determine the tenancy.

Recovery of possession and disposal of small holdings.

7.—(1) Where a county council take possession of a small holding under the last foregoing section, all the estate, right, interest, and claim of the owner in or to the small holding shall, subject as in this section mentioned, vest in and become the property of the county council, and the county council may either retain the small holding under their own management or sell or otherwise dispose of it as they think expedient.

(2) Where a county council take possession of a small holding as aforesaid they shall, save as hereinafter mentioned, pay to the owner either—

(*a*) such sum as may be agreed upon; or

(*b*) a sum equal to the value of the interest in the small holding at the disposal of the county council, after deducting therefrom the amount at which the annuity charged on the holding may be redeemed under the Law of Property Act, 1925, together with any arrears of such annuity then due; and the said value, in the absence of a sale and in default of agreement, shall be settled by an arbitrator appointed under the Agricultural Holdings Act, 1923.

(3) The sum so paid to the owner if not paid within three months after the date of taking possession shall carry interest at the rate of five per centum per annum from the date of taking possession.

(4) All costs of or incidental to the taking possession, sale or other disposal of the small holding (including the costs of the arbitration, if any) incurred by the county council before the amount payable to the owner has been settled either by agreement or arbitration, shall be deducted from the amount otherwise payable to the owner.

(5) Where the county council are entitled under this Act to take possession of a small holding, possession may be recovered (whatever may be the value of the holding) by or on behalf of the county council either under sections one hundred and thirty-eight to one hundred and forty-five of the County Courts Act, 1888, or under the Small Tenements Recovery Act, 1838, as in the cases therein provided for, and in either case may be recovered as if the county council were the landlord and the owner of the holding were the tenant.

51 & 52 Vict. c. 43.
1 & 2 Vict. c. 74.

(6) In the event of the value of the holding, ascertained in accordance with the provisions of this section, being less than the amount at which the annuity charged on the holding may be redeemed together with any arrears of such annuity due from the owner, the council may recover from the owner summarily as a civil debt the amount of the deficiency.

Procedure as to ordering sale of small holdings.

8.—(1) Where a county council order the sale of a small holding without taking possession, they shall cause it to be put up for sale by auction, and out of the proceeds of sale retain a sum equal to the amount for which the terminable annuity (if any) charged on the holding may be redeemed, unless the holding is sold subject to the terminable annuity, together with any arrears of the annuity which may be then due and all costs, charges and expenses properly incurred by them in or about the sale of the holding, and pay over the balance (if any) to the owner.

(2) If the county council are unable to sell the holding for such sum as will allow the payment out of the proceeds of sale of such amounts as aforesaid, they may take possession of the holding in manner provided by the last foregoing section, but shall not be liable to pay any sum to the owner, and may recover from the owner summarily as a civil debt the amount of the deficiency.

(3) Any sale by a county council under this section may be made either subject to the charge in respect of terminable annuity or free, wholly or partly, from that charge, and in either case the provisions of this Act with respect to the purchase money shall, where the land is sold as a small holding, apply in like manner as if the sale were the first sale of the holding.

Delegation of powers to councils of boroughs or urban or rural districts.

9. A county council may make arrangements with the council of any borough or urban or rural district in the county for the exercise by the council of that borough or district, as agents for the county council, on such terms and subject to such conditions as may be agreed on, of any powers of the county council in respect of the acquisition, adaptation and management of small holdings for the borough or district, and the council of the borough or district may, as part of the arrangement, undertake to pay the whole or any part of the loss (if any) incurred by the county council in connection with those small holdings, and any sum payable in pursuance of any such undertaking shall be defrayed as part of the general expenses of the council in the execution of the Public Health Acts:

Provided that the arrangements shall not authorise the exercise on behalf of the county council by any other council of the powers of submitting to the Minister proposals and estimates for the purpose of obtaining contributions under this Act.

List to be kept by county council.

10. A county council shall keep a list of the owners and occupiers of small holdings sold or let by them, and a map or plan showing the size, boundaries and situation of each small holding so sold or let.

Registration of title of land purchased for small holdings. 15 Geo. 5. c. 21.

11. Where a county council have purchased land for small holdings they shall apply to be registered as proprietors thereof under the Land Registration Act, 1925.

Cottage Holdings.

Provision of cottage holdings.

12.—(1) The power of providing small holdings for persons who desire to buy them conferred by this Part of this Act shall include power of providing cottage holdings, that is to say, holdings comprising a dwelling-house together with not less than forty perches and not more than three acres of agricultural land which can be cultivated by the occupier of the dwelling-house and his family; and all the provisions of the Small Holdings and Allotments Acts, 1908 to 1919, and of this Act, with respect to small holdings, other than those relating to the letting of holdings, shall apply to cottage holdings as if the expression "small holding" included a cottage holding:

Provided that—

(*a*) the power of providing cottage holdings shall not be exerciseable by the council of a county borough:

(*b*) a county council shall not sell a cottage holding unless they are satisfied that the person to whom it is to be sold is a bona fide agricultural labourer or a person employed in a rural industry within or adjacent to their county, and that he has the intention, knowledge and capital to cultivate satisfactorily the land forming part of the cottage holding.

(2) For the purposes of this section the expression "rural industry" means an industry carried on in or adjacent to a village being an industry ancillary to the industry of agriculture or horticulture for the time being approved by the Minister.

Loans by County Councils to Persons purchasing Small Holdings.

Power of county council to advance

13.—(1) Where a person being desirous of purchasing a small holding which he is able to cultivate properly has agreed with the owner for the purchase thereof, the county council of the county in which the holding or any part of it is situate may, if they think fit, advance to the purchaser on the security of the holding an amount not exceeding nine-tenths of the value of the holding as ascertained to the satisfaction of the county council repayable by a terminable annuity for a period not exceeding sixty years.

money for purchase of small holdings.

(2) The provisions of this Act with respect to the terminable annuity secured by a charge on a small holding sold by a county council, and with respect to any small holding so sold, shall apply to a terminable annuity charged and a holding purchased under this section, as if the advance was the purchase money.

(3) No advance shall be made by a county council under this section unless they are satisfied that the title to the holding is good, that the sale is made in good faith, and that the price is reasonable.

(4) Where the person desirous of effecting the purchase is a person for whom a cottage holding could be provided by the county council, this section shall apply as if references therein to small holdings included references to cottage holdings.

Power of councils to make advances for equipment of small holdings.

14.—(1) A county council may—

(*a*) subject to the provisions hereinafter contained, advance money to owners of small holdings provided by the council under the principal Act as amended by this Act for the purpose of constructing, altering or adapting or undertaking to construct, alter or adapt houses and farm buildings on such small holdings; and

(*b*) undertake to guarantee the repayment to a society incorporated under the Building Societies Acts, 1874 to 1894, or the Industrial and Provident Societies Acts, 1893 to 1913, of any advances made by the society to any of its members, being the owners of small holdings provided by the council as aforesaid, for the purpose of enabling them to construct, alter or adapt houses or farm buildings on such small holdings, and the interest on such advances.

(2) The county council before granting such assistance shall satisfy themselves that the houses or farm buildings in respect of which assistance is to be given will, when the construction, alteration or adaptation is completed, in the case of houses, be in all respects fit for human habitation, and in the case of houses and farm buildings be in all respects suitable and necessary for the requirements of the small holdings.

(3) Any such advance as aforesaid shall be subject to the following conditions :—

(*a*) The advance with interest thereon shall be secured by mortgage, and the advance shall not exceed ninety per cent. of the value of the interest of the mortgagor in the property, and the mortgage deed may provide for repayment being made either by instalments of principal or by an annuity of principal and interest combined, so, however, that in the event of any of the conditions subject to which the advance is made not being complied with the balance for the time being unpaid shall become repayable on demand by the council;

(*b*) The advance may be made by instalments from time to time as the construction, alteration or adaptation of the house or farm building progresses, so, however, that the total of the advance does not at any time before the completion of the construction, alteration or adaptation exceed fifty per cent. of the value of the work done up to that time on the construction, alteration or adaptation of the house or farm building, or on works incidental thereto; and

(*c*) The advance shall not be made except after a valuation duly made on behalf of the council.

(4) The making of advances and the fulfilling of guarantees under this section (except a guarantee of interest) shall be purposes for which a council may borrow under section fifty-two of the principal Act.

Construction.

Construction of Part I.

15. This Part of this Act shall have effect as if it were substituted for Part I. of the principal Act:

Provided that nothing in this Act shall affect the terms and conditions on which a small holding purchased or leased before the commencement of this Act is held.

PART II.

MISCELLANEOUS AMENDMENTS OF THE SMALL HOLDINGS AND ALLOTMENTS ACTS.

16. In the definition of "small holding" contained in section sixty-one of the principal Act, for the words "fifty pounds," there shall be substituted the words "one hundred pounds."

Amendment of definition of "small holding."

17.—(1) The provisions of the Lands Clauses Acts incorporated with the principal Act by section thirty-eight thereof for the purpose of the purchase of land by agreement under that Act shall not include section eighty-two of the Lands Clauses Consolidation Act, 1845, relating to the costs of conveyances.

Amendment of law as to the acquisition of land.
8 & 9 Vict. c. 18.

(2) Where one or more objections to an order for the compulsory acquisition of land under Part I. of the First Schedule to the principal Act have been presented and not withdrawn, the Minister may dispense with the holding of a public inquiry and may confirm the order without holding such an inquiry in any case where he is of opinion that the objection or all the objections presented relate exclusively to matters which could be dealt with by the arbitrator to whom questions of disputed compensation are to be referred under the said Schedule, and the Minister may for that purpose require any objector to state in writing the grounds of his objection.

(3) For removing doubts as to the effect of the Acquisition of Land (Assessment of Compensation) Act, 1919, it is hereby declared:—

9 & 10 Geo. 5. c. 57.

(*a*) that the said Act does not apply to the determination of a dispute as to the amount of compensation payable on the withdrawal of a notice to treat under subsection (8) of section thirty-nine of the principal Act;

(*b*) that the said Act has not affected the power of the Minister under paragraphs (5) and (6) of Part I. of the First Schedule to the principal Act to give directions with respect to the hearing of counsel or expert witnesses and of fixing scales of costs, and that any directions so given and scales so fixed apply to arbitrations before an official arbitrator both when assessing the compensation in the case of the compulsory purchase of land and when assessing the rent or other compensation to be paid in the case of the compulsory hiring of land.

Provisions as to land compulsorily hired.

18.—(1) Where a council in pursuance of the powers conferred by section forty-four of the principal Act have given notice to the landlord of land compulsorily hired by them to renew the tenancy, it shall be lawful for the council to withdraw the notice at any time not less than three months before the expiration of the tenancy if it appears to the council that the rent assessed in pursuance of the said section is such as will involve loss to the council, but in any such case the landlord shall be entitled to obtain from the council compensation for any loss or expenses which he may have sustained or incurred by reason or in consequence of the notice to renew and of the notice to withdraw, such compensation to be determined in like manner as the compensation for withdrawal of notice to treat under subsection (8) of section thirty-nine of the principal Act.

(2) A notice to resume possession of the whole or part of land hired by a council compulsorily for small holdings or allotments given under section forty-six of the principal Act shall not be valid if given before it has been shown to the satisfaction of the Minister that the land, possession of which is proposed to be resumed, is required for such a purpose as is mentioned in that section, and where an applicant has failed to satisfy the Minister that any land is required for such a purpose, any further application to the Minister with a view to the resumption of possession of the same land or any part of it for the same purpose shall not be entertained if made within two years after the previous application.

Power of tenant to purchase small holding held from a

19.—(1) Subsection (3) of section eleven of the Land Settlement (Facilities) Act, 1919 (which enables the tenant of a holding provided by a county council on land purchased by the council to purchase the holding) shall apply only in the case of a tenant in occupation of a small holding at the commencement of this Act; and nothing in this Act or in any repeal effected thereby shall affect the terms on which such a tenant is so entitled to purchase his holding.

county council. 9 & 10 Geo. 5. c. 59.

(2) In the case of a tenant of a small holding whose occupation thereof commences after the commencement of this Act, it shall be lawful for the county council to sell the small holding to him, subject to the provisions of this Act relating to the sale of small holdings.

Power to sell land without consent of Minister in certain cases.

20.—(1) Notwithstanding anything in section twelve of the Land Settlement (Facilities) Act, 1919, it shall not be necessary for a county council to obtain the consent of the Minister to the sale of any land where the land forms part of land which they have acquired under Part I. of this Act without such consent.

(2) Section thirteen of the Land Settlement (Facilities) Act, 1919, shall not exempt any county council from obtaining the consent of the Minister in any case where such consent is required by this Act.

Minor amendments.

21. The amendments specified in the second column of the First Schedule to this Act (which relate to minor details) shall be made in the provisions of the Small Holdings and Allotments Acts, 1908 to 1919, specified in the first column of that schedule.

PART III.

GENERAL.

Repeals.

22.—(1) The enactments mentioned in the Second Schedule to this Act (including those relating to the Small Holdings Commissioners) are hereby repealed to the extent specified in the third column of that schedule.

(2) Any references in any other Act to the Small Holdings Commissioners shall be construed as references to such officers of the Ministry of Agriculture and Fisheries as the Minister may appoint for the purpose.

Short title and construction.

23.—(1) This Act may be cited as the Small Holdings and Allotments Act, 1926, and the Small Holdings and Allotments Acts, 1908 to 1919, and this Act, may be cited together as the Small Holdings and Allotments Acts, 1908 to 1926.

(2) This Act shall be construed as one with the principal Act.

SCHEDULES.

Section 21.

FIRST SCHEDULE.

Minor Amendments.

Enactment to be amended.	Amendment.
The Small Holdings and Allotments Act, 1908—	
Section 49, subsection (2).	At end, add the following words :— “The council may also let to the society accommodation for the storage or sale of goods.”
Section 50 - -	After the words “Every county council,” at the beginning of the section, there shall be inserted the words “other than the London County Council.”
Second Schedule -	At the end of Part II. there shall be inserted :— “(18) Provision of permanent sheep-dipping accommodation. “(19) In the case of arable land, the removal of bracken, gorse, tree roots, boulders, and other like obstructions to cultivation.”
The Land Settlement (Facilities) Act, 1919—	
Section 7 - -	After the words “fee farm rent” there shall be inserted the words “or terminable rentcharge,” and after the words “the rent” there shall be inserted the words “or rentcharge.”
Section 11 - -	In subsection (3) the words “six months” shall be substituted for the words “one month.”
Section 16 - -	In subsection (2) for the words “fifty pounds” there shall be substituted the words “one hundred pounds.” In subsection (3) the words “the Board or” in both places where they occur, and the words “as the case may be,” shall be omitted.
Section 18 - -	The whole section shall be omitted.

SECOND SCHEDULE.

Section 22.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
8 Edw. 7. c. 36.	The Small Holdings and Allotments Act, 1908.	Sections one to twenty-two inclusive. In subsection (8) of section thirty-nine the proviso. Subsection (2) of section forty-six. Section fifty-five. Section fifty-six. In subsection (1) of section fifty-seven the words "and the "Small Holdings Commission-"ers" and "other." Subsection (2) of section fifty-eight. In section fifty-nine the words "and of the proceedings of "the Commissioners."
9 & 10 Geo. 5. c. 59.	The Land Settlement (Facilities) Act, 1919.	Section one. Section ten. In subsection (1) of section eleven the words "be sold or "let by the council at the "best price or sum that can "reasonably be obtained "and" and subsections (2), (5), (6) and (7) of the same section. In subsection (3) of section sixteen the words "the Board "or" in both places where they occur and the words "as "the case may be." Section eighteen. Section twenty. Section twenty-six.

CHAPTER 53.

An Act to require an indication of origin to be given in the case of certain imported goods.
[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Imported goods bearing name or trade mark of British manufacturer or trader not to be sold unless accompanied by indication of origin.

1.—(1) It shall not be lawful to sell, expose for sale, or, by way of advertising goods of some other kind, distribute, in the United Kingdom, any imported goods to which there is applied any name or trade mark being, or purporting to be, the name or trade mark of any manufacturer, dealer or trader or the name of any place or district in the United Kingdom, unless the name or trade mark is accompanied by an indication of origin.

(2) For the purposes of this section—

(*a*) a name or trade mark shall be deemed to be applied to goods if it is applied either to the goods themselves or to any covering, label, reel or other thing in or with which the goods are sold or exposed for sale; and

(*b*) the expression "trade mark" means a mark which is used upon or in connection with goods for the purpose of indicating that they are the goods of the proprietor of the mark by virtue of manufacture, selection, certification, dealing with, or offering for sale.

(3) If the Board of Trade are satisfied, after considering such representations (if any) as may be made to them by any persons appearing to the Board of Trade to have a substantial interest in the matter, that, having regard to the special circumstances of the trade, difficulties would arise if this section applied to goods of any class or description, or goods sold under any particular designation, and that public interests in the United Kingdom would not be materially prejudiced by exempting such goods from the operation of this section,

they may direct that this section shall not apply to such goods, or that goods shall not be treated as falling under this section by reason only that they are so designated. Every such direction shall be published in the London, Edinburgh, and Belfast Gazettes, and in such other manner as the Board of Trade may deem suitable.

(4) This section shall not have effect in respect of the application of a name or trade mark to articles used or to be used for any of the following purposes, that is to say, as coverings, labels, reels, or otherwise as articles in or with which goods manufactured or produced in the United Kingdom are or are to be sold or exposed for sale if the name or mark so applied is the name or trade mark of a manufacturer of or of a dealer or trader in those goods in the United Kingdom and the name or mark was applied with his consent.

(5) This section (except subsection (3) thereof) shall not come into operation until the expiration of six months from the date of the passing of this Act.

Power to require indication of origin in the case of certain imported goods.

2.—(1) After an enquiry in relation to goods of any class or description has on a reference from the appropriate department been held by a committee appointed for the purposes of this Act and the report of the committee on the matter has been taken into consideration by the department, that department may, unless it appears to them that the trade of the United Kingdom or the trade generally of other parts of His Majesty's dominions with the United Kingdom would be prejudiced if imported goods of that class or description for use or consumption in the United Kingdom were prohibited to be sold unless they bear an indication of origin, make a representation to His Majesty that it is desirable that an order should be made under this section, and His Majesty in Council may thereupon, subject to the provisions of this Act, make an Order prohibiting the sale, or the exposure for sale in the United Kingdom, of imported goods of that class or description unless they bear an indication of origin.

(2) The sitting of a committee shall while evidence is being taken be open to the public unless the evidence relates to matters which are, in the opinion of the committee, of a confidential character.

(3) No reference shall be made to a committee in respect of goods of any class or description unless there has been made to the department an application therefor which, in the opinion of the department, substantially represents the interests of either manufacturers, producers, dealers, traders, users, or consumers, or of any body of wage-earners.

(4) Whenever a reference to a committee is made by a department under this section, notice thereof shall be published in the London, Edinburgh and Belfast Gazettes, and in such other manner as the department may deem suitable, and no enquiry in respect of such reference shall be begun by the committee until the expiration of twenty-eight days after the date of such publication.

(5) If on an enquiry under subsection (1) of this section it appears to a committee to be desirable that any imported goods should bear an indication of origin at the time of importation, and the committee so reports to the appropriate department, that department unless, having regard to all the circumstances of the case, including the re-export trade of the United Kingdom in that class or description of goods, it considers such action undesirable, may make a representation to His Majesty that it is desirable that the goods should bear an indication of origin at the time of importation, and His Majesty may by Order in Council under this section (without prejudice to his powers under subsection (1) of this section) make provision accordingly, and if any such goods required by any such Order to bear an indication of origin at the time of importation do not at that time bear such an indication, they shall be deemed to be goods which are prohibited to be imported by virtue of section sixteen of the principal Act:

Provided that—

(*a*) Subject to compliance with such conditions as to security for the re-exportation of the goods as the Commissioners of Customs and Excise may impose, an order under this subsection shall not apply to goods imported for exportation after transit through the United Kingdom or by way of transhipment or to goods declared on importation to be for re-exportation; and

(*b*) Nothing in this subsection shall be taken to be in derogation of anything contained in the said section sixteen.

(6) A committee after hearing persons representing such interests as may appear to the committee to be substantially affected shall, from time to time, and as soon as may be practicable in each case after an enquiry under subsection (1) of this section make reports to the appropriate department specifying the classes or descriptions of imported goods, if any (being goods to which the committee consider that it is practically possible to apply an indication of origin effectively and without injury to the goods), with respect to which, in the opinion of the committee, an Order in Council ought to be made under this section, and the committee shall if it reports that such goods should bear an indication of origin, recommend what should be the form of the indication of origin and in what manner it should be applied to the goods.

(7) Before any proceedings shall be taken on any report made by a committee in pursuance of this section, such report shall be published, and a copy of such report shall be laid before each House of Parliament, and notice of the making of such report shall be published in the London, Edinburgh and Belfast Gazettes and in such other manner as the Department may deem suitable.

(8) An Order in Council under this section shall specify in every case—

(*a*) the manner in which the indication of origin is to be applied to the goods; and

(*b*) the date on which the Order is to come into force (not being a date earlier than three months from the date of the making of the Order, except in the case of an Order revoking a previous Order either entirely or as respects some of the goods to which that Order relates, or an Order made for amending a previous Order in consequence of a direction having been given with respect to that Order under the provisions of this Act relating to provisional exemptions); and

(*c*) whether the goods are to bear an indication of origin at the time of importation or of exposure for sale wholesale,

and any such Order may contain such other provisions as appear to His Majesty to be necessary or expedient for carrying this section into effect.

Power to grant provisional exemption from Order in Council.

3.—(1) If, where an Order in Council has been made under this Act with respect to any goods, it is shown to the satisfaction of the appropriate department by persons appearing to the department to have a substantial interest in the matter that the application of the provisions of the Order, or of some of those provisions, to any particular class or description of those goods has caused, or is likely to cause, injury or hardship to the said persons, or any of them, the department may direct that the Order, or any particular provisions of the Order, shall cease to apply to goods of that class or description or shall apply to such goods subject only to such modifications and conditions as the department think fit, and the Order shall, while the direction is in force, have effect subject thereto.

(2) Immediately after a direction has been given under this section the appropriate department shall cause notice thereof to be published in the London, Edinburgh and Belfast Gazettes, and in such other manner as the department may deem suitable, and shall refer to a committee for consideration the question whether the Order with respect to which the direction has been given should be amended either in accordance with the terms of the direction or otherwise with respect to the goods in question.

(3) A direction under this section may at any time be withdrawn by the appropriate department, and shall not in any case continue in force after the date on which any amending Order in Council made on the report of the committee to which the matter in question has been referred under the last preceding subsection comes into operation or after the expiration of twelve months from

the date on which the direction was given, whichever date is the earlier.

Constitution of committees.

4.—(1) For the purposes of this Act, there shall be two or more standing committees of which at least one shall be charged with enquiries relating to agricultural and horticultural produce and the produce of any fishing industry.

(2) Each committee shall consist of not less than three and not more than five persons, two to form a quorum and shall be appointed by the appropriate department.

(3) The names of all persons from time to time so appointed shall be published in the London, Edinburgh and Belfast Gazettes, and in such other manner as the department may deem suitable.

(4) Any person, who in the opinion of the appropriate department, is directly and substantially interested as a trader or dealer in goods of any particular class or description, or as a manufacturer of any such goods or of goods of which any such goods form part, or as a producer of any such goods, shall not act as a member of a committee charged with an enquiry in respect of goods of that class or description.

(5) The members of a committee shall hold office for such period as the department by which the committee is appointed thinks fit, and the department may from time to time fill any vacancies occurring in the membership of the committee.

(6) There shall be paid to the members of a committee such fees or other remuneration as the appropriate department, with the consent of the Treasury, may determine.

Offences.

5.—(1) If any person—

(*a*) sells, exposes for sale, or distributes by way of advertisement, any goods in contravention of the provisions of this Act; or

(*b*) acts in contravention of or fails to comply with any Order in Council made under this Act;

he shall, subject to the provisions of this section, be guilty of an offence against the principal Act:

Provided that—

(i) in the case of a person who is guilty of an offence against the principal Act by virtue of this section the principal Act shall have effect as if the following were substituted for subsection (3) of section two of that Act :—

> "(3) Every person guilty of an offence against this Act shall be liable on summary conviction to a fine not exceeding five pounds, and in the case of a second or subsequent offence to a fine not exceeding twenty pounds and the court may in the case of a second or subsequent offence order the goods in relation to which the offence has been committed to be forfeited";

and

(ii) in the case of the sale wholesale of any goods, other than goods which by virtue of an Order in Council made under this Act are required to bear an indication of origin at the time of importation or of exposure for sale wholesale, it shall be a good defence to proceedings under this subsection if the person charged with the offence satisfies the court that the goods were sold to the purchaser on an undertaking in writing that they would be exported or sold for exportation to a place outside the United Kingdom, and any such undertaking in writing if it purports to be signed by the purchaser and specifies the usual business address of the purchaser shall be admissible as evidence of the facts appearing therein.

(2) If any person advertises or offers for sale as being goods of a particular brand or make or otherwise under a specific designation, whether by means of an illustration or by means of any written matter, any imported goods of a class or description to which an Order in Council under this Act applies, he shall, if he does not include in the advertisement or offer an indication of the origin of the goods, and subject to the provisions of this section, be deemed to have acted in contravention of an Order in Council made under this Act.

This subsection shall not apply in the case of any advertisement made, issued or published before the date on which the Order was made.

(3) Where any person sells, or exposes for sale, any goods of which any imported goods, being goods to which an Order in Council under this Act applies, form a distinguishable part, and that part is reasonably capable of having applied to it an indication of origin in manner required by the order, he shall, for the purposes of this section, be deemed to have sold, or exposed for sale, that part, and the provisions of this section shall apply accordingly.

(4) It shall not within the United Kingdom be lawful to sell or offer for sale by sample goods of a class or description to which an Order in Council under this Act applies unless the required indication of origin is applied to the samples or unless particulars corresponding to the particulars which would be contained in such an indication are communicated in writing to the person to whom the samples are submitted, and if any person acts in contravention of the provisions of this subsection he shall, subject to the provisions of this section, be deemed to have acted in contravention of an Order in Council made under this Act.

(5) A person shall not be treated as being guilty by virtue of this section of an offence against the principal Act if he proves—

(*a*) that having taken all reasonable precautions against committing such an offence he had at the time of the commission of the alleged offence no reason to suspect that the goods were goods to which this Act or an Order in Council made thereunder applied, and that on a demand made by or on behalf of the prosecutor he gave all the information in his power with respect to the persons from whom he obtained the goods; or

(*b*) that otherwise he had acted innocently.

Power of employer to exempt himself from penalty on conviction

6. Where an employer or principal is charged with the offence of having acted in contravention of, or failed to comply with, the provisions of this Act or any Order in Council made under this Act he shall be entitled on information duly laid by him and on giving not less of the actual offender.

than three days' notice of his intention to the prosecution to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and, if after the commission of the offence has been proved, the employer or principal proves to the satisfaction of the court that he has used due diligence to enforce compliance with the provisions of this Act or of the Order, and that the said other person had committed the offence in question without his consent, connivance or wilful default, the said other person shall, subject to the provisions of subsection (5) of the last preceding section, be summarily convicted of the offence, and the employer or principal shall be exempt from any penalty.

The person so convicted shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings:

Provided that the prosecution shall in any such case have the right to cross-examine the employer or principal if he gives evidence, and any witnesses called by him in support of his charge, and to call rebutting evidence.

Laying before Parliament and revocation and variation of Orders.

7.—(1) Before any Order in Council is made under the foregoing provisions of this Act, a draft of the Order shall be laid before each House of Parliament, and if either House within the next subsequent twenty days on which that House has sat next after the draft is laid before it resolves that an Address be presented to His Majesty against the draft or any part thereof, no further proceedings shall be taken thereon, but without prejudice to the making of a new draft Order.

(2) An Order in Council made under the foregoing provisions of this Act may, on a representation to His Majesty by the appropriate department, be revoked or varied by a subsequent Order made in like manner, and the foregoing provisions of this Act with respect to the making of Orders in Council shall, subject to the necessary modifications, have effect accordingly.

Penalty on removal of indication of origin from imported goods.

8. If any person removes, alters or obliterates an indication of origin which in compliance with the requirements of an Order in Council made under this Act was borne by the goods at the time of their importation or exposure for sale wholesale, he shall be deemed to have acted in contravention of an Order in Council made under this Act, unless he proves to the satisfaction of the court dealing with the case that the removal, alteration or obliteration was not for the purpose of concealing the origin of the goods at the time of their sale or exposure for sale.

Execution of Act by local authorities.

9.—(1) Every local authority authorised to appoint an analyst for the purposes of the Sale of Food and Drugs Acts, 1875 to 1907, may, so far as relates to any goods being foodstuffs to which an Order in Council under this Act applies, execute any of the provisions of this Act other than provisions relating to the importation of goods, and any expenses incurred by a local authority under this section shall be defrayed in the same manner as expenses incurred by the authority in executing the provisions of the said Acts.

(2) An officer of any such local authority as aforesaid, if authorised in that behalf by the authority and on production if so required of his authority, may at any time during the hours when the premises are open for business enter any premises on which he has reason to believe that there are kept for sale any imported foodstuffs to which an Order in Council under this Act applies and on paying or making tender of payment therefor take samples of any goods which appear to him to be such imported foodstuffs, and any person who obstructs an officer so authorised in the execution of the powers conferred on him by this section shall be deemed to have acted in contravention of an Order in Council made under this Act.

An officer taking a sample under this subsection shall forthwith notify the person on whose premises the sample is taken or his agent that the sample is taken in pursuance of the provisions of this Act, and shall, if required so to do at the time of giving such notification, select a second like sample or divide the sample into two parts, and shall mark and seal and leave with that person or agent either the second sample or one part of the divided sample.

(3) The Governor of Northern Ireland may by Order in Council direct, as respects any local authority in Northern Ireland, that the powers of the authority under this section shall be exercised by the Ministry of Agriculture for Northern Ireland instead of by the authority.

Interpretation.

10.—(1) For the purposes of this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

"Agricultural and horticultural produce and the produce of any fishing industry" includes all foodstuffs other than such foodstuffs as the Board of Trade, with the concurrence of the Minister of Agriculture and Fisheries may declare not to be foodstuffs for the purposes of this definition:

"Apply" in relation to an indication of origin has the same meaning as in section five of the principal Act:

"Appropriate department" means in relation to agricultural and horticultural produce and the produce of any fishing industry, the Minister of Agriculture and Fisheries, the Secretary of State for the Home Department and the Secretary of State for Scotland acting jointly, and in relation to any other goods the Board of Trade:

"Committee" means a committee appointed for the purposes of this Act:

"His Majesty's Dominions" includes territories under His Majesty's protection and such, if any, of the territories in respect of which a mandate on behalf of the League of Nations has been accepted by His Majesty as His Majesty may by Order in Council direct to be included in His Majesty's Dominions for the purposes of this Act:

"Imported goods" does not include—

(*a*) goods which since the date of their importation have undergone in the United Kingdom any treatment or process resulting in a substantial change in the goods; or

(*b*) goods produced or manufactured in the United Kingdom which after exportation are brought back into the United Kingdom, including any such goods which have undergone abroad any treatment or process not resulting in a substantial change in the goods:

"Indication of origin" means, at the option of the person applying the indication, either—

(*a*) in the case of goods manufactured or produced in any foreign country, the word "foreign" and in the case of goods manufactured or produced in a part of His Majesty's Dominions outside the United Kingdom, the word "Empire"; or

(*b*) a definite indication of the country in which the goods were manufactured or produced;

the indication being given, in either case, conspicuously:

Provided that, in the case of goods produced or manufactured in the United Kingdom which have undergone in any particular country abroad any treatment or process resulting in a substantial change in the goods, the indication of origin may at the option of the person applying it be given either by using in conjunction with the word "foreign" or the word "Empire," as the case requires, words descriptive of that treatment or process or by a definite indication that the treatment or process was undergone in that particular country.

"Principal Act" means the Merchandise Marks Act, 1887: 50 & 51 Vict. c. 28.

"United Kingdom" means Great Britain and Northern Ireland.

(2) Section one of this Act shall not extend to blends or mixtures, and an Order in Council made under the foregoing provisions of this Act with respect to goods of any class or description shall not extend to blends or mixtures consisting of or containing those goods unless the Order expressly so provides, and, where any Order in Council so provides, the indication of origin to be given in respect of the blends or mixtures shall, notwithstanding anything in this Act, be an indication in such form as the Order prescribes. For the purposes of this subsection the expression "blend or mixture" does not include any blend or mixture produced by a process of manufacture from materials of different kinds.

(3) For the purposes of this Act, imported goods shall be deemed to have been manufactured in the country in which they last underwent before importation a substantial change by reason of any treatment or process.

(4) In this Act the expression " sale "—

(*a*) does not include—

(i) a sale of goods for consignment by the vendor to a person outside the United Kingdom; or

(ii) a sale of second-hand goods;

(*b*) subject as hereinafter provided, includes sale wholesale as well as sale by retail, and the provisions of this Act and of any Order in Council made thereunder shall have effect accordingly:

Provided that references to exposure for sale in sections one and five of this Act or (unless the Order expressly provides to the contrary) in any Order in Council made under this Act shall not include exposure for sale wholesale by a person being a wholesale dealer;

(*c*) does not include the sale of any foodstuffs at any hotel or restaurant or other premises for consumption thereon or the sale of any foodstuffs which have undergone a process of cooking, curing or preserving in the United Kingdom.

Exercise of powers of Board of Trade under Act.

11. Anything authorised under this Act to be done by, to, or before the Board of Trade, may be done by, to, or before the President, a Secretary or Assistant Secretary of the Board, or any person authorised in that behalf by the President of the Board.

Expenses.

12. Any expenses incurred by or in connection with any committee shall, up to such amount as the Treasury may approve, be defrayed out of moneys provided by Parliament.

Short title and application.

13.—(1) This Act may be cited as the Merchandise Marks Act, 1926, and shall be construed as one with the Merchandise Marks Acts, 1887 to 1911, and those

Acts and this Act may be cited together as the Merchandise Marks Acts, 1887 to 1926.

(2) This Act applies to Northern Ireland.

(3) This Act shall not apply to farm produce carried or driven by a farmer or his servants from the Irish Free State into Northern Ireland in the course of his business as a farmer.

(4) If His Majesty is pleased by Order in Council so to direct as respects goods manufactured or produced in any of the Channel Islands or in the Isle of Man, goods so manufactured or produced shall for the purposes of this Act be treated as if they were goods manufactured or produced in the United Kingdom.

(5) Any Order in Council made under this section or under section nine or section ten of this Act may be revoked or varied by another Order in Council so made.

(6) So much of this Act as enables provision to be made for requiring imported goods to bear an indication of origin at the time of importation and any Order in Council made thereunder shall have effect as if it were part of the Customs Consolidation Act, 1876, and shall accordingly apply to the Isle of Man as if it were part of the United Kingdom.

39 & 40 Vict. c. 36.

(7) Nothing in this Act shall be taken to render it lawful to describe as being made or produced in the United Kingdom any goods which by virtue of the provisions of the principal Act may not be so described.

CHAPTER 54.

An Act to facilitate the use of wireless telegraphy by the blind. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Licences to blind persons for the purpose of

1. Where a person satisfies the Postmaster-General that he is a blind person within the meaning of this Act, a licence to establish, maintain and work a wireless receiving wireless messages.

telegraph station for the purpose of receiving messages only may be granted to him by the Postmaster-General, subject to such terms, conditions and restrictions as the Postmaster-General may think fit, but without payment of any fee.

Definition.

2.—(1) For the purpose of this Act a blind person shall mean any person (not being resident in a public or charitable institution or in a school) who produces to the Postmaster-General a certificate issued by or under the authority of the council of the county or of the county borough in which he is ordinarily resident that he is registered as a blind person in the area of the county or county borough.

The expenses incurred by a council under this section shall be defrayed in the case of a county council out of the county fund as expenses for general county purposes and in the case of a county borough council out of the borough fund or borough rate.

This section shall apply to the City of London as if it were a county borough and the Common Council were the council of a county borough and the general rate were the borough fund or rate.

(2) In the application of this section to Scotland "county borough" has the same meaning as in the Blind Persons Act, 1920, and the expenses incurred by a county or town council under this Act shall be defrayed in like manner as expenses under the said Act.

10 & 11 Geo. 5. c. 49.

Short title and construction.

3. This Act may be cited as the Wireless Telegraphy (Blind Persons Facilities) Act, 1926, and shall be construed as one with the Wireless Telegraphy Acts, 1904 to 1925, and those Acts and this Act may be cited together as the Wireless Telegraphy Acts, 1904 to 1926, and this Act may be cited with the Telegraph Acts, 1863 to 1925.

CHAPTER 55.

An Act to provide for the further relief of His Majesty's Roman Catholic subjects.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Repeal of enactments.

1. The enactments specified in the Schedule to this Act are hereby repealed to the extent mentioned in the said Schedule.

Saving as to powers of local authorities.

2. Nothing herein contained shall affect in any manner whatsoever any power conferred by any Act of Parliament, or by any byelaw made pursuant to any Act of Parliament, upon any local authority in Great Britain to make regulations relating to, or otherwise to control, any meeting or procession in or through any street or other public place whatsoever, or in or through any unfenced ground adjoining or abutting upon any such street or place, nor the power of any local authority conferred by any Act of Parliament to make byelaws relating to any such meeting or procession.

Savings relating to the Church of England and saving of rights of title.

3. Nothing in this Act nor the repeal of any enactments or parts thereof specified in the Schedule thereof shall in any way alter, add to, or abridge the law relating to services, acts, matters or things performed or done in any church or chapel of the established Church of England or relating to clergy or ministers of the said established Church of England, or relating to any right of presentation to any benefice or other ecclesiastical living or office in the established Church of England.

Nothing herein contained shall adversely affect the title to properties which were vested in the Crown by the statute, 1 Eliz., cap. 24.

Short title.

4. This Act may be cited as the Roman Catholic Relief Act, 1926, and shall not apply to Northern Ireland.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
3 & 4 Edw. 6. cap. 10.	- - - - - -	The whole Act.
1 Eliz. cap. 24	- - - - - -	The whole Act, except sections three, ten, twelve and sixteen.
1 Geo. 1. St. 2. cap. 50.	- - - - - -	The whole Act.
31 Geo. 3. cap. 32.	The Roman Catholic Relief Act, 1791.	Sections eleven and seventeen.
10 Geo. 4. cap. 7.	The Roman Catholic Relief Act, 1829.	Section twenty-six, sections twenty-eight to thirty-six inclusive. The Schedule.
2 & 3 Will. 4. cap. 115.	The Roman Catholic Charities Act, 1832.	Section four.
23 & 24 Vict. cap. 134.	The Roman Catholic Charities Act, 1860.	Section seven.

CHAPTER 56.

amended by the Housing (Rural Workers) Act 1931 (c. 22) and by the Housing Act 1935 (c. 40) and by the Housing (Rural Workers) Act 1938 (c. 35)

An Act to promote the provision of housing accommodation for agricultural workers and for persons whose economic condition is substantially the same as that of such workers and the improvement of such accommodation, by authorising the giving of financial assistance towards the reconstruction and improvement of houses and other buildings.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present

Parliament assembled, and by the authority of the same, as follows:—

Schemes by local authorities.

1.—(1) With a view to promoting the provision of housing accommodation for agricultural workers and for persons whose economic condition is substantially the same as that of such workers or the improvement of such accommodation, local authorities within the meaning of this Act may and shall if so required by the Minister of Health (in this Act referred to as "the Minister") submit to him schemes with respect to the reconstruction and improvement of houses or buildings within their areas and may, in accordance with such schemes when approved by the Minister, give assistance in manner provided in this Act in respect of any such works of reconstruction or improvement.

(2) Provision shall be made by every such scheme as aforesaid for—

(*a*) specifying, by reference to the value, after the completion of the proposed works, of the dwellings in respect of which assistance under this Act is to be given, the cases in which such assistance may be given:

(*b*) specifying the nature of the works, (which may consist of structural alteration, repair, addition, provision of water supply, drainage or sanitary conveniences, or other like works, but shall not in any case include works of ordinary repair or upkeep, except in so far as they are incidental to or connected with any such works as aforesaid,) in respect of which such assistance may be given:

(*c*) specifying the period within which any such works must be completed.

Power of local authorities to make grants or loans.

2.—(1) Assistance under this Act may be given either by way of grant or by way of loan, or partly by way of grant and partly by way of loan.

(2) No assistance under this Act shall be given—

(*a*) where the value of the dwelling after the completion of the proposed works, as estimated by the local authority, exceeds four hundred pounds: Provided that in arriving at the value of any dwelling any carving or panelling shall not be taken into account; or

(*b*) where the estimated cost of the works to be executed in respect of the dwelling is less than fifty pounds:

Provided that, where the proposed works will constitute an improvement to two or more dwellings by way of the provision of water supply, drainage, or other works for the joint benefit of the dwellings, assistance may be given if the estimated total cost of the works (including the cost of any works to be executed in connection with the joint works but separately in respect of the several dwellings or any of them) is not less than one hundred pounds; or

(*c*) unless the application for assistance is received by the local authority before the first day of October, nineteen hundred and thirty-one; or

(*d*) where the interest of the applicant in the house or building in respect of which the works are to be executed is a leasehold interest only, unless that interest is for a term of years absolute of which a period of not less than thirty years remains unexpired at the date of the application; or

(*e*) unless the local authority are satisfied that the dwelling will after the completion of the works be in all respects fit for habitation as a dwelling by persons of the working classes.

(3) The local authority may in any case refuse to give assistance under this Act on any grounds which seem to them sufficient and (without prejudice to the generality of the foregoing provision) shall refuse to give such assistance if it appears to them that the house or building in respect of which the works are to be executed cannot, by reason of the narrowness, closeness or bad arrangement or condition of the streets or buildings in the immediate neighbourhood thereof, be converted into a dwelling or dwellings which is or are in all respects satisfactory or, in the case of a house or building to which any historic, architectural, or artistic interest

attaches, that the proposed works would destroy or seriously diminish that interest.

(4) The following provisions shall have effect with respect to grants under this section:—

(*a*) the grant may be made in either of the following ways—

(i) by way of a lump sum payment to be made after the completion of the works; or

(ii) by the provision, during a period not exceeding twenty years, of any part of any periodical sums which may be payable to any persons by way of interest on or repayment of advances made by those persons for the purpose of the works;

(*b*) the amount of the grant shall not exceed either—

(i) two-thirds of the estimated cost of the works in respect of which the grant is to be made; or

(ii) the sum of one hundred pounds in respect of each dwelling:

Provided that, where the grant is to be made by the provision of periodical sums, the amount of the grant shall be taken to be an amount equal to the capital value of the sums to be so provided, calculated as on the date of the completion of the works;

(*c*) in the event of a breach of any of the conditions applicable by virtue of this Act in relation to the dwelling in respect of which the grant was made, any sums already paid on account of the grant, together with compound interest on those sums as from the respective dates on which the payments were made, calculated at the prescribed rate and with yearly rests, shall, on being demanded by the local authority, forthwith become repayable by the owner for the time being of the dwelling, and any sum which but for the failure would have become payable by the local authority shall not be paid:

Provided that, if the local authority in any such case are satisfied that the breach was not due to the act, default, or connivance of the owner, the authority may, with the consent of the Minister and subject to such conditions, if any, as he may approve, waive the liability of the owner to make repayment under the foregoing provision, and in the case of a continuing breach may, with the like consent and subject to such conditions as aforesaid, suspend the enforcement of that liability for such period as appears to them to be necessary for enabling the owner to remedy the breach.

(5) The following provisions shall have effect with respect to loans under this section—

(*a*) the loan, together with interest thereon at the prescribed rate, shall be secured by a mortgage of the dwelling;

(*b*) the amount of the principal of the loan shall not exceed ninety per cent. of the value which it is estimated the mortgaged security will bear after the completion of the works;

(*c*) the mortgage deed may provide for repayment being made either by instalments of principal or by an annuity of principal and interest combined, so, however, that in the event of any of the conditions subject to which the advance was made not being complied with in relation to the dwelling, the balance for the time being unpaid shall become repayable on demand by the local authority;

(*d*) the loan may be made by instalments from time to time as the works progress, so, however, that the total of the loan does not at any time before the completion of the works exceed fifty per cent. of the value for the time being of the mortgaged security;

(*e*) the loan shall not be made except after a valuation duly made on behalf of the local authority:

Provided that—

(i) where loans are to be made to the same person in respect of two or more dwellings, those loans may, if it is so agreed between that person and the local authority, be secured by a single mortgage charged on all the dwellings jointly, and where two or more loans are so secured this subsection shall have effect as if the several loans constituted a single loan and as if the expression "the dwelling" included a reference to the several dwellings in respect of which the loans are made; and

(ii) if so agreed as aforesaid, a loan may be secured on lands of which the site of the dwelling in respect of which the loan is being made forms part, but nothing in this provision shall authorise the local authority to lend more than the sum which they would have been authorised to lend had the loan been secured only on the dwelling.

(6) The rules contained in the Schedule to this Act shall apply with respect to applications for and the giving of assistance under this Act.

Conditions attaching to dwellings in respect of which assistance has been given by way of grant.

3.—(1) In the case of a dwelling in respect of which assistance has been given under this Act by way of grant the following conditions shall, subject as hereinafter provided, apply in relation to the dwelling for a period of twenty years from the date on which it first becomes fit for occupation after the completion of the works and shall so long as they continue to have effect be deemed to be part of the terms of any lease, agreement for a lease, or tenancy of the dwelling, and shall be enforceable accordingly:—

(*a*) The dwelling shall not be occupied except by a person, whether as owner or tenant, whose income is, in the opinion of the local authority, such that he would not ordinarily pay a rent in excess of that paid by agricultural workers in the district, or by an agricultural worker or employee of substantially the same economic condition employed by the person who is rated in respect of the dwelling;

(*b*) The rent payable by the occupier in respect of the dwelling shall not exceed the amount of the normal agricultural rent, increased by a sum equal to three per cent. of the amount by which the estimated cost of the works in respect of which assistance has been given exceeds the amount of the assistance given by way of grant, and no fine, premium or other like sum shall be taken in addition to the rent;

For the purposes of this provision the expression "normal agricultural rent" means—

(i) in the case of a dwelling which had not previously to the execution of the works been, or which was not within the period of five years immediately preceding the execution of the works separately let as such, the rent which the local authority determine to be the average rent for the time being paid by agricultural workers in the district; and

(ii) in the case of a dwelling which was separately let as such at any time within the said period of five years, the average amount determined by the local authority to have been payable by way of rent per week during the period of the letting:

Provided that, if in the case of a dwelling to which paragraph (ii) applies the amount of the normal agricultural rent payable in respect thereof is by reason of a general increase of rents in the district less than the rent normally paid by agricultural workers in the district, the rent so normally paid shall be taken to be the normal agricultural rent;

(*c*) The owner of the dwelling shall from time to time, on being so required by the local authority, give to the authority a certificate to the effect that the foregoing conditions (*a*) and (*b*) are being complied with in respect of the dwelling, and any tenant of the dwelling shall, on being so required in writing by the owner, furnish to him such information as he may reasonably require for the purpose of enabling him to comply with this condition;

(*d*) In the event of the tenant assigning, or otherwise parting with the possession of, the dwelling, it shall not be lawful for any person in consideration thereof to make any payment other than rent or for the tenant to receive, directly or indirectly, any such payment:

Provided that—

(i) where a dwelling is in the occupation of a person by whom, having regard to the terms of paragraph (*a*) of this subsection, it may properly be occupied and that person subsequently ceases to be such a person the continued occupation of the dwelling by that person shall not, if the local authority have assented thereto and so long as that assent has not been withdrawn, be taken to be in contravention of the said paragraph; and

(ii) if the Minister after consultation with the local authority so approves, the owner of the dwelling may at any time within the said period of twenty years pay to the local authority the amount of the grant, or of such instalments thereof as have been paid, together with compound interest thereon as from the respective dates on which payments on account of the grant were made calculated at the prescribed rate and with yearly rests, and thereupon the conditions contained in this section shall cease to have effect in relation to that dwelling.

(2) The reference in the proviso to subsection (1) of this section to the owner of the dwelling shall be construed as including a reference to a mortgagee of the dwelling who is entitled to exercise his power of sale as such mortgagee, and any sum paid by a mortgagee in pursuance of the said proviso shall be treated as being part of the sum secured by the mortgage and may be discharged accordingly.

(3) Capital money arising under the Settled Land Act, 1925, may, subject to the provisions of section seventy-three of that Act, be applied in payment of any sum payable to the local authority under the said proviso. 15 & 16 Geo. 5. c. 18.

(4) Section fifteen of the Land Charges Act, 1925, as amended by the Law of Property (Amendment) Act, 1926, shall apply to conditions applying by virtue of 15 & 16 Geo. 5. c. 22. 16 & 17 Geo. 5. c. 11.

this section in relation to any dwelling as if they were a local land charge, and any such conditions shall be registered accordingly by the proper officer as a local land charge.

(5) Notwithstanding anything to the contrary in any enactment or rule of law relating to the jurisdiction of county courts, the county court of the district in which a dwelling is situate may, on the application of the local authority—

(*a*) whether or not any other relief is claimed, grant an injunction restraining the breach, or apprehended breach, of any condition applying to the dwelling by virtue of this section other than the condition imposed by paragraph (*c*) of subsection (1) of this section; or

(*b*) make an order directing payment to the authority of any sum which has become payable to it by reason of the breach of any condition applying to the dwelling by virtue of this section.

Government contributions to expenses of local authorities under Act.

4.—(1) The Minister shall, subject to such conditions as to records, certificates, audit or otherwise as he may with the approval of the Treasury determine and subject to the provisions of this section, make or undertake to make contributions towards any expenses incurred by a local authority in making grants under this Act.

(2) Any such contributions shall be made by way of annual payments for a period of twenty years from the completion of the works in respect of which the grant is made and shall be an amount equal to one-half of the estimated average annual payments falling to be made by the local authority in respect of the charges on account of loans raised by the authority for the purposes of grants made under this Act, or which would have fallen to be so made if the sums expended by the local authority on account of the grant had been raised by means of loans.

(3) Where any condition applicable in relation to a dwelling is not complied with, the local authority shall be liable to repay to the Minister a sum equal to the amount of the contributions already made by him in respect of the dwelling, together with compound interest thereon as from the respective dates on which the contributions were made, calculated at the prescribed

rate and with yearly rests, and any sum so repayable shall be recoverable as a debt due to the Crown:

Provided that—

(*a*) the provisions of this subsection shall not apply if the liability of the owner to make repayment in respect of the breach of the condition has been duly waived in accordance with the foregoing provisions of this Act, or if and so long as the enforcement of that liability is duly suspended in accordance with those provisions, and

(*b*) if the local authority shows to the satisfaction of the Minister that, notwithstanding that they have taken all practicable steps for the purpose, they have been unable to recover the whole or some part of the sum which became repayable to them by reason of the breach of the condition, the Minister may remit the repayment of the sum repayable to him under this subsection up to an amount not exceeding one half of the amount not recovered by the local authority.

(4) Where in pursuance of this Act the Minister approves of the repayment of a grant made by the local authority under this Act in respect of any dwelling, the Minister shall not be liable to make any further contribution in respect of that dwelling, and the local authority shall be liable to repay to the Minister a sum equal to the amount of the contributions already made by him, together with interest as aforesaid, and any sum so repayable shall be recoverable as a debt due to the Crown.

(5) Any expenses incurred by the Minister under this Act shall be defrayed out of the moneys provided by Parliament.

Local authorities for purposes of Act, borrowing, &c.

5.—(1) The local authority for the purposes of this Act shall be the council of the county or the council of the county borough:

Provided that, if the Minister either owing to special circumstances, or on application by the council of any county district made to him before the thirty-first day of March, nineteen hundred and twenty-seven, thinks fit so to do, he may after consultation with the county council declare that the council of any county district within the county shall be the local authority for the purposes of this Act to the exclusion of the council of the county, and any declaration made under the foregoing provision may at any time be revoked by the Minister after a like consultation.

(2) The council of a county and the council of any county district within the county may, if it appears to the council of the county that the administration of their scheme under this Act will be thereby facilitated, enter into arrangements under which the council of the county district may undertake on behalf of the council of the county any duties connected with the administration of the scheme other than the approval or disapproval of applications for assistance, the payment of any grant or loan or instalment of a loan, or the institution of legal proceedings in the event of a breach of any of the conditions subject to which a grant or loan is made.

(3) Any expenses incurred by the local authority in the execution of this Act shall be defrayed, in the case of the council of a county, as expenses for general county purposes, and in the case of any other council as part of the expenses of that council in the execution of the Public Health Acts:

Provided that, in any case where the council of a county district are the local authority under this Act, the expenses of the council of the county under this Act shall be treated as special county purposes restricted to so much of the administrative county as is not comprised in the county district, and no sum shall be raised in that district for the purposes of this Act on account of the expenses of the council of the county under this Act.

(4) Subject to the approval of the Minister, a local authority may borrow any sums required for the purpose of making grants or loans under this Act, in the case of the council of a county, under section sixty-nine of the Local Government Act, 1888, and in the case of any other local authority, under Part IV. of the Housing Act, 1925, and the raising of money by a local authority for the purpose aforesaid shall be a purpose for which the Public Works Loan Commissioners may lend to the local authority.

51 & 52 Vict. c. 41.
15 Geo. 5. c. 14.

(5) Money borrowed by a local authority under this Act shall not be reckoned as part of the total debt of that authority for the purposes of any limitation on borrowing imposed by any Act.

Acceptance of assistance not to disqualify for membership of local authority.

6. It is hereby declared that a person to whom assistance is given by any local authority under this Act, whether by way of grant or by way of loan, is not thereby disqualified for being elected or being a member of the authority or of any committee thereof.

Prohibition on persons interested voting as members of local authorities.

7.—(1) A person shall not vote as a member of a local authority or any committee thereof on any resolution or question which is proposed or arises under this Act if it relates to any house or building in which he is beneficially interested.

(2) If any person votes in contravention of this section he shall on summary conviction be liable in respect of each offence to a fine not exceeding fifty pounds, but the fact of a person having so voted shall not invalidate any resolution or proceeding of the local authority.

Application to Scotland.

8. This Act in its application to Scotland shall have effect subject to the following modifications:—

(*a*) References to the Minister of Health shall be construed as references to the Scottish Board of Health, "county court" means "sheriff" and "injunction" means "interdict":

(*b*) "Mortgage" or "mortgage deed" means bond and disposition in security or deed of security in such other form as the persons concerned may agree and "mortgagor" and "mortgagee" shall be construed accordingly:

(*c*) It is hereby declared that the paragraph of subsection (2) of section two which precludes assistance being given to persons having a limited leasehold interest is not applicable in the case of a landholder within the meaning of the Small Landholders (Scotland) Acts, 1886 to 1919 (in this section referred to as a "landholder"):

(*d*) In sections two and three "owner" has the same meaning as in the Public Health (Scotland) Act, 1897: 60 & 61 Vict. c. 38.

(*e*) For the purpose of assistance by way of grant in relation to a dwelling occupied by a landholder the following provisions shall have effect:—

(i) The landholder or his statutory successor, so long as in occupation of the holding, shall be deemed to be the owner of the dwelling;

(ii) If, at any time within the period during which conditions apply by virtue of this Act in relation to the dwelling, compensation becomes payable by the landlord to the landholder under the said Small Landholders Acts in respect of permanent improvements, including the dwelling, the local authority may require that such compensation shall be assessed by the Land Court;

(iii) In assessing such compensation, the Land Court shall fix the proportion, if any, thereof as is, in their opinion, attributable to the grant, and the proportion so fixed shall not be payable to the landholder but shall be recoverable by the local authority from the landlord;

(iv) Upon payment of such amount the conditions which apply in relation to the dwelling shall cease to have effect, and the local authority shall be liable to repay to the Scottish Board of Health a sum bearing the same proportion to the amount of the contributions made by the Board in respect of the dwelling as the amount recoverable by the local authority from the landlord bears to the amount of the grant:

(*f*) Paragraph (*a*) of subsection (1) of section three shall have effect as if the words "who pays occupier's rates" were substituted for "who is rated":

(*g*) The following section shall be substituted for section five:—

"5.—(1) The local authority for the purposes of this Act shall be the local authority for the purposes of the Housing (Scotland) Act, 1925, and any expenses incurred by a

15 Geo. 5. c. 15.

local authority in the execution of this Act shall be defrayed in like manner as expenses incurred in the execution of that Act.

(2) The local authority shall have power to borrow any sums required for the purposes of making grants or loans under this Act in like manner as they may borrow for the purposes of the Housing (Scotland) Act, 1925, and the raising of money by a local authority for the purposes aforesaid shall be a purpose for which the Public Works Loan Commissioners may lend to the local authority."

(*h*) A reference to the Housing Act, 1925, shall be construed as a reference to the Housing (Scotland) Act, 1925.

Short title, extent and interpretation.

9.—(1) This Act may be cited as the Housing (Rural Workers) Act, 1926.

(2) This Act shall not apply to Northern Ireland or the administrative county of London.

(3) In this Act unless the context otherwise requires:—

The expression "street" has the same meaning as in the Housing Act, 1925.

The expression "owner" means the person who is for the time being receiving, or who if the dwelling were let at a rack-rent would receive, the rack-rent of dwelling:

Provided that, if in any case the person who by virtue of the foregoing definition would be the owner of a dwelling is a person himself liable to pay a rack-rent in respect of the dwelling or of any property comprising the dwelling to a superior landlord, that superior landlord and not the person aforesaid shall be deemed to be the owner of the dwelling for the purposes of this Act:

The expression "prescribed" means prescribed by the Minister with the approval of the Treasury.

The expression "rack rent" has the same meaning as in the Public Health Act, 1875. 38 & 39 Vict. c. 55.

Section 2.

SCHEDULE.

RULES AS TO APPLICATIONS FOR AND GIVING OF ASSISTANCE.

1. The applicant for assistance shall furnish to the local authority full particulars of the houses and buildings concerned and of the works proposed to be executed, and a statement (approved by an officer of the local authority authorised in that behalf) of the estimated cost of the works, and, if so required by the local authority, plans and specifications thereof.

2. If the local authority approve the application they shall issue to the applicant a certificate of their approval which shall set out the terms and conditions upon which the assistance will be given.

3. On the completion of the works or in a case where assistance is to be given by way of loan, of such part of the works as the applicant considers will entitle him to payment of an instalment by the local authority, the applicant shall produce the certificate to the local authority and shall satisfy them that the works or part thereof have been executed in accordance with the terms and conditions of the certificate, and the local authority shall not be liable to make any loan or grant or any instalment until they are so satisfied.

CHAPTER 57.

An Act to amend the provisions of the Prisons (Scotland) Act, 1877, relating to the discontinuance of prisons, and the legalisation of police cells as places of detention.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Disposal of discontinued prison. 40 & 41 Vict. c. 53.

1. Where, after the passing of this Act, any prison shall be discontinued by an order made by the Secretary of State under section thirty-nine of the Prisons (Scotland) Act, 1877, the provisions of section forty of the said

Act shall not apply, and any prison so discontinued shall be sold or otherwise disposed of as the Secretary of State, with the consent of the Treasury, may direct.

Amendment of 40 & 41 Vict. c. 53. s. 30.

2.—(1) Section thirty of the Prisons (Scotland) Act, 1877 (which relates to the legalising of police cells as places of detention), shall be amended by the substitution of the words "thirty days" for the words "fourteen days."

(2) For the purposes of the said section, the county council of Orkney and the county council of Zetland shall be deemed to be the police authorities of the said counties respectively (inclusive of any burghs situate therein except the burgh of Lerwick): Provided always that it shall be the duty of the Prison Commissioners for Scotland to make such arrangements as may be necessary for the removal of any prisoners confined in police cells in either of the said counties legalised under the said section.

Citation.

3. This Act may be cited as the Prisons (Scotland) Act, 1926, and this Act and the Prisons (Scotland) Acts, 1860 to 1909, may be cited as the Prisons (Scotland) Acts, 1860 to 1926.

CHAPTER 58.

An Act to increase and extend the powers of the court to inflict penal servitude in lieu of imprisonment in the case of certain crimes.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Power of court to substitute penal servitude for consecutive terms of

1.—(1) Where a person is convicted on indictment of two or more offences to which this Act applies in respect of which he is liable to be sentenced to terms of imprisonment amounting in the aggregate to a period of not less than three years, the court may, instead of sentencing him to imprisonment, sentence him to penal imprisonment.

servitude for any term not exceeding the aggregate period for which he might have been sentenced to imprisonment, so, however, that no sentence of penal servitude imposed under this section shall be for a term exceeding seven years:

Provided that, if, on an appeal by a person sentenced under this Act to penal servitude in respect of two or more offences with which he was charged on separate indictments, it appears to the Court of Criminal Appeal that the appellant, though not properly convicted on some indictment, has been properly convicted on some other indictment, the Court shall have the like powers as if the appellant had been convicted of the offences on different counts or parts of the same indictment; but where an appellant convicted of two or more offences, whether on one or more indictments, has been sentenced under this Act to penal servitude in respect of two or more offences and his conviction of any such offence is quashed by the Court of Criminal Appeal, the Court shall not affirm any sentence passed at the trial or pass any sentence in substitution therefor which is more severe than would have been warranted by law if the appellant had been acquitted at the trial of any charge in respect of which his conviction is quashed.

(2) This Act applies to all indictable offences not otherwise punishable by penal servitude except blasphemous or seditious libel and other offences of blasphemy or sedition, unlawful assembly, rout or riot, offences under any enactment relating to corrupt and illegal practices at elections, and offences of inciting or attempting or conspiring to commit any such offence as aforesaid.

(3) In the application of subsection (1) of this section to Scotland

(*a*) the expression "the court" shall mean the High Court of Justiciary, and the power to award penal servitude conferred by that subsection shall be exerciseable in the case of a person remitted to the said High Court for sentence under the Criminal Procedure (Scotland) Acts, 1887 and 1921, as well as in the case of a person convicted before the said High Court;

(*b*) a reference to the Court of Criminal Appeal shall be construed as a reference to the High Court of Justiciary in the exercise of its jurisdiction under the Criminal Appeal (Scotland) Act, 1926. 16 & 17 Geo. 5. c. 15.

Short title and extent

2.—(1) This Act may be cited as the Penal Servitude Act, 1926.

(2) This Act shall not extend to Northern Ireland.

CHAPTER 59.

An Act to amend the law relating to coroners.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

Qualification, Appointment, and Resignation of Coroners.

Qualifications and disqualifications.

1.—(1) From and after the commencement of this Act no person shall be qualified to be appointed to be a coroner for a county (in this Act referred to as "a county coroner") or a coroner of a borough (in this Act referred to as "a borough coroner"), or a deputy or assistant deputy to a county or borough coroner, unless he is a barrister, solicitor, or legally qualified medical practitioner, of not less than five years standing in his profession :

Provided that no person who at the commencement of this Act is, and for a period of not less than five years has been, a franchise coroner or a deputy to a county coroner or to a borough coroner shall by reason of the foregoing provision be disqualified from being appointed to be a county or borough coroner.

(2) A person shall, so long as he is a mayor, alderman or councillor of a county or borough and for six months after he ceases to be a mayor, alderman or councillor thereof, be disqualified for being a coroner appointed by the council of that county or borough or by a joint committee of which any of the members are appointed

by that council and for being a deputy of a coroner so appointed.

(3) A person shall, so long as he is coroner for a county or coroner of a borough or a deputy of such coroner, be disqualified for being elected to be and for being a mayor, alderman or councillor of that county or borough.

50 & 51 Vict. c. 71.

(4) Section twelve of the Coroners Act, 1887 (which requires a county coroner to have land in fee in the county), shall cease to have effect.

Appointment and resignation of county and borough coroners.

2.—(1) On a vacancy occurring in the office of coroner for a county or borough, the council having power to appoint a person to fill the vacancy shall forthwith give notice thereof to the Secretary of State.

(2) Subject to the provisions of this Act relating to the formation and alteration of coroners' districts, within three months after the occurrence of a vacancy in the office of coroner for a county or borough or within such further time as the Secretary of State may allow, the council having power to appoint a coroner shall appoint a duly qualified person to the office and shall forthwith give notice of the appointment to the Secretary of State.

(3) A county or borough coroner may resign his office by giving notice in writing to the council having power to appoint his successor, but the resignation shall not take effect unless and until it is accepted by the council.

(4) It shall not be necessary to issue a writ de coronatore eligendo or a writ de coronatore exonerando in respect of the appointment or resignation of a county or borough coroner.

(5) Nothing in this section shall prejudice or affect the jurisdiction of the Lord Chancellor or of any court with respect to the removal of coroners.

Provisions as to coroner for Isle of Wight.

3. If His Majesty is pleased to declare in Council that it is his will to relinquish his right of appointing a person to fill the office of coroner for the Isle of Wight, then, on a vacancy in that office occurring at any time thereafter, the Isle of Wight County Council shall have power to appoint a person to fill the vacancy, and the provisions of this Act and of any other enactment relating to the office of county coroner or to county coroners shall apply accordingly to the office of coroner and to the coroner for the Isle of Wight.

Abolition of franchise coronerships.

4.—(1) The right of any person having power to appoint a franchise coroner shall cease on the next vacancy in the office which occurs after the passing of this Act, and for all purposes relating to coroners the area in which the franchise coroner had jurisdiction shall thereupon, if and so far as it is situated in a borough the council of which have power to appoint a borough coroner, be merged in the borough, and if and so far as it is not situated in such a borough, be merged in the county.

(2) Where the area or part of the area in which a franchise coroner had jurisdiction is merged in a county which is divided into coroners' districts, any consequential alteration of the division of the county into coroners' districts shall be effected in manner provided by this Act.

(3) The power of appointing a franchise coroner within the liberties of the Duchy of Lancaster or within any of those liberties may be relinquished by the Chancellor of the Duchy of Lancaster under his hand and seal on behalf of His Majesty, and if so relinquished shall be extinguished, and the foregoing provisions of this section shall apply as respects the area in which any coroner appointed under the power so relinquished had jurisdiction, but save as aforesaid nothing in this section shall apply to His Majesty in right of his Duchy of Lancaster.

(4) If His Majesty is pleased to declare in Council that it is his will to relinquish his right of appointing a person to fill the office of coroner for the jurisdiction of the Admiralty of England, thereupon the office of coroner for the jurisdiction of the Admiralty of England shall be hereby abolished.

(5) The foregoing provisions of this section shall not apply with respect to—

(*a*) the King's coroner and attorney; or
(*b*) the coroner of the King's Household; or
(*c*) the coroner for the City of London; or
(*d*) the coroner for the Isles of Scilly.

(6) This section shall come into operation on the passing of this Act.

Salaries and Pensions.

Salaries of county and borough coroners.

5.—(1) Subject to the provisions of this section every council having power to appoint a coroner shall pay to every county or borough coroner appointed by them an annual salary at such rate as may be fixed by agreement between them and the coroner.

(2) If at any time a coroner and the council by whom his salary is payable are unable to agree with respect to any proposed alteration of the rate of salary, the Secretary of State may, upon the application either of the coroner or of the council, fix the rate of the salary at such rate as he thinks proper, and thereupon the rate so fixed by the Secretary of State shall come into force as from such date as he may determine, not being a date less than three years from the date when the rate of salary came into force as last fixed, unless in the opinion of the Secretary of State the coroner's area or district has in the meantime been materially altered.

(3) In fixing the rate of salary payable to a coroner under this section regard shall be had to the nature and extent of his duties and to all the circumstances of the case.

(4) The salary payable under this section to a borough coroner shall be instead of the fees and allowances specified in the Fourth Schedule to the Municipal Corporations Act, 1882, and the additional payment mentioned in subsection (2) of section twenty-seven of the Coroners Act, 1887, or the remuneration payable under any Act or Provisional Order confirmed by an Act, as the case may be, and no such fees, allowances, additional payment or remuneration as aforesaid shall be payable to a borough coroner after the commencement of this Act.

45 & 46 Vict. c. 50.

(5) As respects coroners holding office at the commencement of this Act—

(*a*) every coroner to whom a salary is, at the commencement of this Act, payable by the council of any county shall for the purposes of this section be deemed to have been appointed by that council and to be a county coroner; and

(*b*) the salary of a county coroner shall, subject to any alteration which may subsequently be made under this section, continue to be payable at the rate in force at the commencement of this Act; and

(*c*) the salary of a borough coroner shall in default of agreement between him and the council by whom his salary is payable be at a rate fixed by the Secretary of State.

Superannuation of county and borough coroners.

6.—(1) Upon the retirement of any county or borough coroner after not less than five years service, the council by whom his salary is payable shall have power—

(*a*) if he has attained the age of sixty-five years; or

(*b*) if they are satisfied by means of a medical certificate that he is incapable from infirmity of mind or body of discharging the duties of his office, and that such incapacity is likely to be permanent,

to grant to him a pension of such amount as may be agreed upon between him and the council not exceeding the scale contained in the First Schedule to this Act:

Provided that the provisions of this section shall not apply with respect to any coroner holding office at the date of the commencement of this Act unless upon his application a resolution applying those provisions to him is passed by the council by whom his salary is payable.

(2) A county or borough coroner with respect to whom the provisions of this section apply shall at any time after he has completed fifteen years service and has attained the age of sixty-five years, vacate his office if called upon to do so by the council by whom his salary is payable, but shall, in the absence of agreement to the contrary, in that case be entitled to receive the maximum pension which the council is empowered having regard to the length of his service to grant to him under this section.

(3) For the purposes of this section the expression "service" means service, whether before or after the commencement of this Act, as a coroner in the county or borough of the council by whom the pension is payable.

Payment of salaries and pensions.

7. The salary of a county or borough coroner and any pension payable to a person in respect of his service as a coroner, shall be deemed to accrue from day to day, and, in the absence of agreement to the contrary, shall be payable quarterly.

Expenses of local authorities upon salaries and pensions.

8. All expenses incurred under this Act by a council upon the salary or pension payable in respect of a county coroner shall be defrayed as expenses for special county purposes, and all expenses so incurred upon the salary or pension payable in respect of a borough coroner shall be defrayed out of the borough fund.

Deputy Coroners and Assistant Deputy Coroners.

Amendment of 55 & 56 Vict. c. 56. s. 1 (3).

9. So much of subsection (3) of section one of the Coroners Act, 1892, as requires the necessity of a deputy coroner's acting for a borough coroner to be certified by a justice of the peace shall cease to have effect.

Appointment of deputy by coroner of King's household.

10. The Coroners Act, 1892 (which relates to the appointment and powers of deputy coroners) shall apply with the necessary modifications to the coroner of the King's household as it applies to county and borough coroners, and in particular with the modifications that the appointment of a deputy to the coroner of the King's household shall be subject to the approval of the Lord Steward of the King's household, and duplicates of such appointments shall be sent to and kept by him.

Appointment of assistant deputy coroner.

11.—(1) Any county or borough coroner may, in addition to the deputy whom he is required to appoint under section one of the Coroners Act, 1892, appoint an assistant deputy to act for the coroner.

(2) An assistant deputy may act for the coroner on any occasion when the deputy coroner would be entitled to act for the coroner but is unable so to act owing to illness or absence for any reasonable cause, and, in the event of the coroner vacating his office by death or otherwise, may act for the deputy coroner in like manner while the office of coroner is vacant.

(3) The appointment of an assistant deputy shall be made in the like manner and subject to the like approval as the appointment of a deputy coroner, and shall be revocable at any time by the coroner by writing under his hand: duplicates of any such appointment or

revocation shall be sent to and preserved by the council who appointed the coroner in like manner as duplicates of the appointment of a deputy coroner.

(4) Subsection (5) of the said section one of the Coroners Act, 1892, shall apply as respects any inquest or act which an assistant deputy of a coroner is authorised to hold or do, with the substitution of a reference to an assistant deputy for the reference to a deputy.

Coroners' Districts.

Formation and alteration of county coroners' districts.

12.—(1) A county council may at any time, and shall if directed to do so by the Secretary of State, submit, after complying with such requirements as to notice and consideration of objections as may be prescribed, to the Secretary of State a draft order providing for the division of the county into such coroners' districts as they think expedient, or for such alteration of any existing division of the county into coroners' districts as appears to them to be suitable; and the Secretary of State after taking into consideration any objections to the draft made in the prescribed manner and within the prescribed time, may make the order, either in the terms of the draft submitted to him or with such modifications as he thinks fit.

(2) Every order made under this section shall come into force as from such date as may be specified in the order, and may be varied or revoked by any subsequent order made in like manner.

(3) If by reason of any order made under this section it is in the opinion of the Secretary of State necessary that the number of coroners for a county should be increased, the county council shall appoint such number of additional coroners for the county as the Secretary of State may direct, and the provisions of this Act relating to appointments to the office of county coroner shall apply with respect to any such appointment as if a vacancy had occurred in the office of coroner for that county.

7 & 8 Vict. c. 92.

(4) Sections five, nineteen and twenty of the Coroners Act, 1844 (which relate to the assignment of districts to county coroners and to the residence and jurisdiction of county coroners within counties assigned to them) shall, as amended by any subsequent enactment, apply to districts formed or altered and to coroners

appointed under this Act as they apply to districts formed under that Act and to coroners appointed under writs de coronatore eligendo.

(5) Every order made under this section shall be laid as soon as may be before both Houses of Parliament and shall be published in the London Gazette, and particulars of any order so made shall be published by the county council in such manner as may be prescribed.

56 & 57 Vict. c. 66.

(6) Section one of the Rules Publication Act, 1893, shall not apply to any order made under this section.

(7) In this section the expression "prescribed" means prescribed by the Secretary of State either by general rules or by directions given as respects any particular occasion.

Inquests.

Power to hold inquest without a jury in certain cases.

13.—(1) Subject to the provisions of this section, a coroner within whose jurisdiction the dead body of a person is lying, may, in lieu of summoning a jury in the manner required by section three of the Coroners Act, 1887, for the purpose of inquiring into the death of that person, hold an inquest on the body without a jury.

(2) If it appears to the coroner either before he proceeds to hold an inquest or in the course of an inquest begun without a jury, that there is reason to suspect—

(*a*) that the deceased came by his death by murder, manslaughter or infanticide; or

(*b*) that the death occurred in prison or in such place or in such circumstances as to require an inquest under any Act other than the Coroners Act, 1887; or

(*c*) that the death was caused by an accident, poisoning or disease notice of which is required to be given to a government department, or to any inspector or other officer of a government department, under or in pursuance of any Act; or

(*d*) that the death was caused by an accident arising out of the use of a vehicle in a street or public highway; or (*e*) that the death occurred in circumstances the continuance or possible recurrence of which is prejudicial to the health or safety of the public or any section of the public;

he shall proceed to summon a jury in the manner required by the Coroners Act, 1887, and in any other case, if it appears to him, either before he proceeds to hold an inquest or in the course of an inquest begun without a jury, that there is any reason for summoning a jury, he may proceed to summon a jury in the manner aforesaid.

(3) The provisions of any enactment relating to the procedure in connection with an inquest shall, as respects an inquest or any part of an inquest which is held without a jury, have effect subject to such modifications as are rendered necessary by the absence of a jury, and where the whole of an inquest is held without a jury the inquisition shall be under the hand of the coroner alone.

(4) Where an inquest or any part of an inquest is held without a jury, anything done at the inquest, or at that part of the inquest, by or before the coroner alone shall be as validly done as if it had been done by or before the coroner and a jury.

View of the body and burial order.

14.—(1) At or before the first sitting of an inquest on a body, the coroner shall view the body, and if, before the body has been buried, the coroner so directs, or a majority of the jury so desires, the body shall be viewed by the jury also:

Provided that, where a previous inquest on the body has been begun but not completed, it shall not be obligatory upon the coroner holding a subsequent inquest to view the body.

(2) Subject to the provisions of any rules made under this Act an order of a coroner authorising the burial of a body upon which he has decided to hold an inquest may be issued at any time after he has viewed the body.

Failure of jury to agree.

15.—(1) If the jury at an inquest fails to agree on a verdict, and the minority consists of not more than two, the coroner may accept the verdict of the majority, and the majority shall, in that case, certify the verdict in accordance with the requirements of subsection (3) of section four of the Coroners Act, 1887.

(2) In any other case of disagreement the coroner may discharge the jury and issue a warrant for summoning another jury, and thereupon the inquest shall proceed in all respects as if the proceedings which terminated in the disagreement had not taken place, except that it shall not be obligatory on the coroner to view the body.

Power of coroner to arrange for removal of body out of his jurisdiction.

16.—(1) If it appears to a coroner that an inquest ought to be held on a body lying within his jurisdiction but that it is expedient to allow or necessary to order the body to be removed into the jurisdiction of another coroner, he may with the consent of that coroner, instead of himself summoning a jury or holding an inquest on the body, allow or order the removal of the body to any place to which that coroner could have allowed or ordered the body to be removed if it had been within his jurisdiction.

(2) An order made by a coroner under this section may provide for the body to be removed back to any place within his jurisdiction at such time as may be directed by the coroner by whom the inquest is to be held after he has viewed the body, and upon such direction being given by that coroner the removal of the body out of his jurisdiction shall not affect his powers and duties in relation to the inquest.

(3) The expenses of any removal ordered by a coroner under this section shall be defrayed as part of the expenses incurred by him in the course of his duties and not as part of the expenses of the coroner by whom the inquest is held.

Inquests where several deaths arise from one accident.

17. Where the bodies of two or more persons whose deaths appear to have been caused by the same accident or occurrence are lying within the jurisdiction of different coroners, and it is for any reason impracticable for the coroners to agree as to the removal into the jurisdiction of one coroner of all the bodies or of such of them as it seems expedient to remove, the Secretary of State may, if in his opinion it is in the public interest so to do, give directions for the removal of any of the bodies into such area as he may determine in which one of the coroners has jurisdiction, and may also give directions for the subsequent removal of any body to any place within the jurisdiction from which it was removed, and for the adjustment of the expenses of and in connection with the inquests on the bodies removed, and the inquests shall be held and the bodies shall be removed and the expenses shall be defrayed in accordance with those directions.

Inquest where body destroyed or irrecoverable.

18. Where a coroner has reason to believe that a death has occurred in or near the area within which he has jurisdiction in such circumstances that an inquest ought to be held, and that owing to the destruction of the body by fire or otherwise or to the fact that the body is lying in a place from which it cannot be recovered, an inquest cannot be held except by virtue of the provisions of this section, he may report the facts to the Secretary of State, and the Secretary of State may, if he considers it desirable so to do, direct an inquest to be held touching the death, and an inquest shall be held accordingly by the coroner making the report or such other coroner as the Secretary of State may direct, and the law relating to coroners and coroners' inquests shall apply with such modifications as may be necessary in consequence of the inquest being held otherwise than on or after view of a body lying within the coroner's jurisdiction.

Effect of 50 & 51 Vict. c. 71. s. 6.

19. For the removal of doubts it is hereby declared, without prejudice to the generality of the provisions of section six of the Coroners Act, 1887, that the powers of the High Court under that section extend to and may be exercised in any case where the Court is satisfied that by reason of the discovery of new facts or evidence it is necessary or desirable in the interests of justice that an inquisition on an inquest previously held concerning a death should be quashed, and that another inquest should be held.

Amendments with respect to inquests in cases of murder, manslaughter or infanticide.

20.—(1) If on an inquest touching a death the coroner is informed before the jury have given their verdict that some person has been charged before examining justices with the murder, manslaughter or infanticide of the deceased, he shall, in the absence of reason to the contrary, adjourn the inquest until after the conclusion of the criminal proceedings and may if he thinks fit discharge the jury.

(2) After the conclusion of the criminal proceedings the coroner may, subject as hereinafter provided, resume the adjourned inquest if he is of opinion that there is sufficient cause to do so:

Provided that, if in the course of the criminal proceedings any person has been charged on indictment, then upon the resumed inquest no inquisition shall charge that person with an offence of which he could have been convicted on the indictment or contain any finding which is inconsistent with the determination of any matter by the result of those proceedings.

(3) Where a coroner resumes an inquest which has been adjourned in accordance with the requirements of this section and the jury has been discharged, the coroner shall proceed in all respects as if the inquest had not previously been begun, and the provisions of this Act shall apply accordingly as if the resumed inquest were a fresh inquest except that it shall not be obligatory on the coroner to view the body.

(4) If, having regard to the result of the criminal proceedings, the coroner decides not to resume the inquest, he shall furnish the registrar of deaths with a certificate stating the result of the criminal proceedings and the particulars necessary for the registration of the death so far as they have been ascertained at the inquest, and the registrar shall enter the death and particulars in the form and manner prescribed by regulations under the Registration Acts.

(5) It shall be the duty of the clerk to the examining justices before whom a person is charged with murder, manslaughter or infanticide to inform the coroner who is responsible for holding an inquest upon the body of the making of the charge, and of the committal for trial or discharge, as the case may be, of the person charged, and it shall be the duty of the clerk of any court to which a person charged with murder, manslaughter or infanticide is committed for trial, and of the Registrar of the court before which any appeal from a conviction of murder, manslaughter or infanticide is heard, to inform the coroner of the result of the proceedings.

(6) For the purposes of this section, the expression "the criminal proceedings" means the proceedings before examining justices and before any court to which the accused person is committed for trial or before which

an appeal from the conviction of that person is heard, and criminal proceedings shall not be deemed to be concluded until no further appeal can, without an extension of time being granted by the Court of Criminal Appeal, be made in the course thereof.

Post-mortem and Special Examinations.

Post-mortem examination without inquest.

21.—(1) Where a coroner is informed that the dead body of a person is lying within his jurisdiction and there is reasonable cause to suspect that the person has died a sudden death of which the cause is unknown, if the coroner is of opinion that a post-mortem examination may prove an inquest to be unnecessary he may direct any legally qualified medical practitioner whom, if an inquest were held, he would be entitled under section twenty-one of the Coroners Act, 1887, to summon as a medical witness or may request any other legally qualified medical practitioner, to make a post-mortem examination of the body of the deceased and to report the result thereof to him in writing, and for the purposes of the examination the coroner and any person directed or requested by him to make the examination shall have the like powers, authorities and immunities as if the examination were a post-mortem examination directed by the coroner at an inquest upon the body of the deceased.

(2) If as a result of such a post-mortem examination as aforesaid the coroner is satisfied that an inquest is unnecessary, he shall send to the registrar of deaths whose duty it is by law to register the death a certificate under his hand stating the cause of death as disclosed by the report, and the registrar shall make an entry in the register or margin thereof accordingly in the form and manner prescribed under the Registration Acts.

(3) Nothing in this section shall be construed as authorising the coroner to dispense with an inquest in any case where there is reasonable cause to suspect that the deceased has died either a violent or an unnatural death, or has died in prison, or in such place or in such circumstances as to necessitate the holding of an inquest in accordance with the requirements of any Act other than the Coroners Act, 1887.

Power of coroner to request specially qualified persons to make post-mortem and special examinations.

22.—(1) Without prejudice to the power of a coroner holding an inquest to direct a medical witness whom he may summon under section twenty-one of the Coroners Act, 1887, to make a post-mortem examination of the body of the deceased, the coroner may, at any time after he has decided to hold an inquest, request any legally qualified medical practitioner to make—

(*a*) a post-mortem examination of the body of the deceased; or

(*b*) a special examination by way of analysis, test or otherwise of such parts or contents of the body or such other substances or things as ought in the opinion of the coroner to be submitted to analyses, tests or other special examination with a view to ascertaining how the deceased came by his death;

or to make both such examinations, or may request any person whom he considers to possess special qualifications for conducting such a special examination as aforesaid (in this Act referred to as a "special examination") to make the special examination.

(2) If any person who has made such a post-mortem or special examination as aforesaid is summoned by the coroner as a witness, he may be asked to give evidence as to his opinion upon any matter arising out of the examination, and as to how in his opinion the deceased came by his death.

(3) The provisions of this Act prescribing the fees payable to medical witnesses shall not apply with respect to any examination made at the request of the coroner under this section, but the fees payable in respect of any such examination shall be such as may be prescribed by the schedule of fees, allowances, and disbursements made by a local authority under section twenty-five of the Coroners Act, 1887, or by rules made by the Secretary of State under this Act.

(4) Where a person states upon oath before the coroner that in his belief the death of the deceased was caused partly or entirely by the improper or negligent treatment of a medical practitioner or other person, that medical practitioner or other person shall not be allowed to perform or assist at any post-mortem or special examination made for the purposes of the inquest on the

deceased, but such medical practitioner or other person shall have the right, if he so desires, to be represented at any such post-mortem examination.

Fees to medical witnesses.

23. The fees payable to a legally qualified medical practitioner who has made any post-mortem examination by the direction or at the request of a coroner, or who has attended an inquest in obedience to a summons of a coroner under the Coroners Act, 1887, shall (save as in this Act otherwise expressly provided) be as follows, that is to say:—

(*a*) for attending to give evidence at any inquest whereat no post-mortem examination has been made by the practitioner, one-and-a half guineas for each day on which he is required to attend; and

(*b*) for making a post-mortem examination of the body of the deceased and reporting the result thereof to the coroner without attending to give evidence at an inquest, two guineas; and

(*c*) for making a post-mortem examination of the body of the deceased (including the making of a report, if any, of the result thereof to the coroner) and for attending to give evidence at an inquest on the body, three guineas for the first day and one-and-a-half guineas for each subsequent day on which the practitioner is required to attend:

Provided that no fee or remuneration shall be paid to a medical practitioner for the purpose of a post-mortem examination instituted without the previous direction or request of the coroner.

Power of removal of body for post-mortem examination.

24.—(1) Where by the direction or at the request of a coroner a post-mortem examination of a body is to be made, the coroner may, subject as hereinafter provided, order the removal of the body to any place which may be provided for the purpose either within his jurisdiction or within any adjoining area in which another coroner has jurisdiction:

Provided that the coroner shall not under this section order the removal of the body to any place other than a place within his jurisdiction provided by a sanitary authority or nuisance authority except with the consent of the person or authority by whom the place is provided.

(2) Where a coroner orders under this section the removal of a body to any place outside his jurisdiction, he may authorise the burial of the body after examination, notwithstanding that it is outside his jurisdiction, and if he does not do so he shall order the removal of the body after examination to a place within his jurisdiction.

(3) The removal of a body in pursuance of an order made by a coroner under this section to any place outside his jurisdiction shall not affect his powers and duties in relation to the body or the inquest thereon, nor shall it confer or impose any rights, powers or duties upon any other coroner.

(4) The expenses of any removal ordered by a coroner under this section shall be defrayed as part of the expenses incurred by him in the course of his duties.

Miscellaneous and General.

Procedure where person charged on coroner's inquisition.

25.—(1) Where a coroner's inquisition charges any person with murder, manslaughter or infanticide, the coroner shall, subject to any rules made under this section, have the like powers as to committing that person for trial as might be exercised by examining justices if he were charged before them.

(2) The Lord Chancellor may, subject to the express provisions of this and of any other Act, make rules for regulating the practice and procedure in relation to proceedings in the case of persons charged by a coroner's inquisition with murder, manslaughter or infanticide, and such rules may apply to such proceedings the provisions of sections eleven, thirteen, and fourteen of the Criminal Justice Act, 1925, and of any other enactment relating to venue in indictable offences and to the power of justices to bind over witnesses and to commit to convenient assizes, with such modifications as may be necessary for giving effect to the provisions of this section.

15 & 16 Geo. 5. c. 86.

5 & 6 Geo. 5. c. 90.

(3) Rules shall not be made under the Indictments Act, 1915, with respect to any matter for the regulation of which the Lord Chancellor is empowered to make

rules under this Act, and no rules contained in or made under that Act shall apply to coroner's inquisitions except in so far as they may be applied thereto by rules made under this Act.

Power to make rules.

26. The Lord Chancellor may, with the concurrence of the Secretary of State, make rules for regulating the practice and procedure at or in connection with inquests and post-mortem examinations and, in particular (without prejudice to the generality of the foregoing provision), such rules may provide—

(*a*) as to the procedure at inquests held without a jury; and

(*b*) as to the issue by coroners of orders authorising burials; and

(*c*) for empowering a coroner or his deputy or assistant deputy to alter the date fixed for the holding of any adjourned inquest within the jurisdiction of the coroner; and

(*d*) as to the procedure to be followed where a coroner decides not to resume an adjourned inquest; and

(*e*) as to the notices to be given and as to the variation or discharge of any recognisances entered into by jurymen or witnesses where the date fixed for an adjourned inquest is altered or where a coroner decides not to resume an adjourned inquest.

Prescription of forms.

27. The power of the Lord Chancellor under this Act to make rules with respect to any matter shall include power to prescribe by such rules the forms to be used in connection with that matter and to revoke or amend any forms which are directed or authorised by or under any statute to be used in connection with that matter and to substitute new forms for any of such forms.

Coroners' returns.

28.—(1) Section twenty-eight of the Coroners Act, 1887, under which borough coroners are required to furnish yearly returns to the Secretary of State shall apply to all other coroners in like manner as it applies to borough coroners.

(2) In addition to the yearly returns to be furnished under the said section, every coroner shall, as and when required by the Secretary of State, furnish to the Secretary of State returns in relation to inquests held and deaths inquired into by him in such form and containing such particulars as the Secretary of State may direct.

Amendments as to payments to or by coroners.

29.—(1) The power of a local authority under section twenty-five of the Coroners Act, 1887, to make a schedule of fees, allowances and disbursements which may lawfully be paid and made by a coroner on the holding of an inquest, shall be extended so as to permit any schedule so made to include any fees, allowances and disbursements which may lawfully be paid and made by a coroner in the course of his duties.

(2) The Secretary of State may make rules prescribing—

(*a*) the fees payable to coroners or other persons for furnishing copies of inquisitions, depositions or other documents in their custody relating to an inquest, whether furnished under subsection (5) of section eighteen of the Coroners Act, 1887, or otherwise;

(*b*) the fees, allowances and disbursements which may lawfully be paid or made by a coroner (other than such fees payable to medical witnesses as are prescribed by section twenty-three of this Act) where in the opinion of the Secretary of State adequate provision is not made therefor by a schedule of fees under section twenty-five of the said Act.

Consequential and minor amendments of 50 & 51 Vict. c. 71.

30. The amendments in the second column of the Second Schedule to this Act (which relate to consequential matters and to matters of minor detail) shall be made in the provisions of the Coroners Act, 1887, specified in the first column of that schedule.

Repeals.

31. Subject as hereinafter provided the enactments mentioned in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule:

Provided that any Order in Council made under section four of the Coroners Act, 1844, shall continue in force and shall have effect as if it were an order providing for the division of a county into coroners' districts or for the alteration of an existing division of a county into coroners' districts, as the case may be, made by the Secretary of State under this Act.

Application of Coroners Acts to city of London.

32. From and after the occurrence of the next vacancy in the office of coroner for the city of London, the provisions of this Act and of any other enactment relating to the office of borough coroner or to borough coroners shall apply with respect to the city of London as if the common council were the local authority and as if the coroner for the city of London were a borough coroner, and any expenses of the common council under the said enactments shall be defrayed out of the general rate.

Application of enactments relating to ridings of Yorkshire and divisions of Lincolnshire. 60 & 61 Vict. c. 39. 62 & 63 Vict c. 48.

33. The provisions of the Yorkshire Coroners Act, 1897, and of the Lincolnshire Coroners Act, 1899, which relate respectively to the constitution of the ridings of Yorkshire and the divisions of Lincolnshire as separate counties for the purposes of the Coroners Acts, 1844, 1887 and 1892, shall apply for the purposes of this Act as they apply for the purposes of those Acts.

Short title, citation, construction, extent and commencement.

34.—(1) This Act may be cited as the Coroners (Amendment) Act, 1926, and this Act and the Coroners Acts, 1887 and 1892, may be cited together as the Coroners Acts, 1887 to 1926.

(2) Except where the context otherwise requires, references in this Act to the Coroners Act, 1887, and to the Coroners Act, 1892, shall be construed as references to those Acts as amended by this Act and this Act shall be construed as one with those Acts.

(3) This Act shall not extend to Scotland or to Northern Ireland.

(4) Save as is in this Act otherwise expressly provided, this Act shall come into operation on the first day of May, nineteen hundred and twenty-seven.

SCHEDULES.

Section 6.

FIRST SCHEDULE.

Scale of Pensions.

1. An annual pension not exceeding ten-sixtieths of the last annual salary may be granted after the completion of a period of service of five years.

2. Where the period of service completed exceeds five years, there may be granted an annual pension not exceeding ten-sixtieths of the last annual salary, with the addition of an amount not exceeding one-fortieth of the last annual salary for each completed year's service after five years, so, however, that no such annual pension shall be of an amount exceeding two-thirds of the last annual salary.

3. For the purposes of this schedule the last annual salary of a coroner shall be taken to be the salary paid to him in respect of his last completed year of service as coroner, after deducting so much if any of that salary as was paid to the coroner with a view to his providing at his own expense for any necessary expenditure in connection with his duties as coroner, and if any dispute arises as to the amount to be deducted under this paragraph in computing the salary of a coroner the dispute shall be referred to the Secretary of State whose decision thereon shall be final and conclusive.

Section 30.

SECOND SCHEDULE.

Consequential and Minor Amendments to Coroners Act, 1887.

Enactment amended.	Amendment.
Section 3 -	In subsection (1) for the words " twelve nor more than twenty-three " there shall be substituted the words " seven nor more than eleven," and in subsection (3) there shall be substituted for the word " twelve " the word " seven."

Enactment amended.	Amendment.
Section 5 -	In subsection (1) the words "against the person so charged" shall cease to have effect.
Section 7 -	In subsection (1) the words "and where a body "is found dead in the sea, or any creek, "river, or navigable canal within the flowing "of the sea where there is no deputy coroner "for the jurisdiction of the Admiralty of "England, the inquest shall be held only "by the coroner having jurisdiction in the "place where the body is first brought to "land," shall cease to have effect, and in subsections (2) and (3) the words "or a "coroner or deputy coroner for the jurisdiction "of the Admiralty of England" shall cease to have effect.
Section 8 -	In subsection (2) the words "if he is a coroner "for a county, a writ shall issue for an "election of another coroner, and if he is a "coroner of a borough, the council of the "borough, and if he is a coroner for a "franchise the lord or other person or persons "entitled to the appointment of the coroner, "shall forthwith proceed to appoint" shall cease to have effect, and there shall be inserted after the words "another coroner" the words "shall be appointed in like "manner".
Section 18 -	In paragraph (1) the words "and in the case of "murder or manslaughter also under the "seals" shall cease to have effect; in paragraph (3) the words "of the finding of the "jury" shall cease to have effect; and paragraph (6) shall cease to have effect.
Section 19 -	In subsection (2) there shall be substituted for the words "forty shillings" the words "five "pounds."
Section 21 -	In subsections (2) and (3) the words "with or "without an analysis of the contents of the "stomach or intestines" shall cease to have effect.

2ND SCH. —*cont.*

Enactment amended.	Amendment.
Section 25 -	The words "on the holding of an inquest" shall cease to have effect, and there shall be substituted for the words "the coroner holding "such inquest" the words "a coroner in the "course of his duties."
Section 26 -	The words "not exceeding the fees fixed by this "Act" shall cease to have effect, and there shall be substituted for the words "sums set "forth in the schedule of fees for the time "being in force under this Act, and the sums "so paid" the words "fees, allowances and "disbursements which may be lawfully paid "or made under this Act, and any fees, allowances or disbursements so paid or made."
Section 27 -	In subsection (1) there shall be substituted for the words "holding an inquest, cause a full "and true account of all sums paid" the words "paying or making any fees, allowances "or disbursements in accordance with the "provisions of this Act, cause a full and true "account of all fees, allowances, and disbursements so paid or made": in subsection (2) the words "with the addition, in "the case of a coroner of a borough, of six "shillings and eight pence for each inquest" shall cease to have effect.

Section 31.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
7 & 8 Vict. c. 92.	The Coroners Act, 1844.	Sections two, three, four and twenty-one.
23 & 24 Vict. c. 116.	The County Coroners Act, 1860.	The whole Act so far as unrepealed.

3rd Sch. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
36 & 37 Vict. c. 81.	The Langbaurgh Coroners Act, 1873.	In section three, the third paragraph.
45 & 46 Vict. c. 50.	The Municipal Corporations Act, 1882.	Subsections (3) and (4) of section one hundred and seventy-one; in the Fourth Schedule, paragraph 3; and in the Fifth Schedule the words in paragraph 4 of Part II. thereof " and " under this Act to the " borough coroner".
50 & 51 Vict. c. 71.	The Coroners Act, 1887.	In section four in subsection (1) thereof the words " and jury " and the words " view the body, " and the coroner shall," in subsection (3) thereof the words " viewing the " body and ", and subsection (5) thereof; in section five in subsection (1) thereof the words "against " the person so charged ; " in section seven in subsection (1) thereof the words from " and where a " body " to the end of the subsection, and in subsections (2) and (3) thereof the words " or a coroner " or a deputy coroner for " the jurisdiction of the " Admiralty of England " ; in section eight in subsection (2) thereof the words from " if he is " a coroner for a county " to " appoint " ; section twelve ; in section eighteen in paragraph (1) thereof the words " and in the " case of murder or manslaughter also under the " seals ", in paragraph (3)

3rd Sch. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
50 & 51 Vict. c. 71—*cont.*	- - - -	thereof the words "of "the finding of the "jury", and paragraph (6) thereof; in section twenty-one in subsections (2) and (3) thereof the words "with or without "an analysis of the con-"tents of the stomach "or intestines"; section twenty-two; section twenty-four; in section twenty-five the words "on the holding of an "inquest"; in section twenty-six the words "not exceeding the fees "fixed by this Act"; section twenty-seven, in subsection (2) thereof the words from "with the "addition" to "in-"quest"; in section twenty-eight the words "of a borough"; in section thirty-nine, paragraph (2) thereof.
55 & 56 Vict. c. 56.	The Coroners Act, 1892.	In section one—in subsection (1) thereof the words "not being an "alderman or councillor of "such council"; in subsection (3) thereof, the words from "In the case of" to the end of the subsection, and, in subsection (4) thereof, the words "and one certificate "may extend to the "period of the vacancy"; and subsection (6).
7 & 8 Geo. 5. c. 19.	The Coroners (Emergency Provisions) Act, 1917.	The whole Act.

3rd Sch. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
8 & 9 Geo. 5. c. 23.	The Juries Act, 1918 -	The whole Act so far as in force.
11 & 12 Geo. 5. c. 30.	The Coroners Act, 1921	The whole Act so far as it relates to coroners paid out of county or borough rates.

CHAPTER 60.

An Act to amend the law relating to children born out of wedlock. [15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Legitimation by subsequent marriage of parents.

1.—(1) Subject to the provisions of this section, where the parents of an illegitimate person marry or have married one another, whether before or after the commencement of this Act, the marriage shall, if the father of the illegitimate person was or is at the date of the marriage domiciled in England or Wales, render that person, if living, legitimate from the commencement of this Act, or from the date of the marriage, whichever last happens.

(2) Nothing in this Act shall operate to legitimate a person whose father or mother was married to a third person when the illegitimate person was born.

(3) The legitimation of a person under this Act does not enable him or his spouse, children or remoter issue to take any interest in real or personal property save as is hereinafter in this Act expressly provided.

(4) The provisions contained in the Schedule to this Act shall have effect with respect to the re-registration of the births of legitimated persons.

Declarations of legitimacy of legitimated persons.
21 & 22 Vict. c. 93.

See the Judicature Consolidation Act 1925 ss. 188, 226 and Sched. 6
In re A.B. 1927 W. N. 202

2.—(1) A person claiming that he or his parent or any remoter ancestor became or has become a legitimated person may, whether domiciled in England or elsewhere and whether a natural-born British subject or not, present a petition under the Legitimacy Declaration Act, 1858, and that Act, subject to such necessary modifications as may be prescribed by rules of court, shall apply accordingly.

(2) A petition under the said Act may be presented by any such person as aforesaid to the county court instead of to the High Court, and the county court on such a petition being presented shall have all such jurisdiction as by the said Act is conferred upon the High Court:

Provided that, where a petition is presented to the county court, the county court, if it considers that the case is one which owing to the value of the property involved or otherwise ought to be dealt with by the High Court, may, and if so ordered by the High Court shall, transfer the matter to the High Court, and on such transfer the proceeding shall be continued in the High Court as if it had been originally commenced therein.

Rights of legitimated persons, &c., to take interests in property.

[illegible] 1936

3.—(1) Subject to the provisions of this Act, a legitimated person and his spouse, children or more remote issue shall be entitled to take any interest—

(*a*) in the estate of an intestate dying after the date of legitimation;

(*b*) under any disposition coming into operation after the date of legitimation;

(*c*) by descent under an entailed interest created after the date of legitimation;

in like manner as if the legitimated person had been born legitimate.

(2) Where the right to any property, real or personal, depends on the relative seniority of the children of any person, and those children include one or more legitimated persons, the legitimated person or persons shall rank as if he or they had been born on the day when he or they became legitimated by virtue of this Act, and if more than one such legitimated person became legitimated at the same time, they shall rank as between themselves in order of seniority.

(3) Where property real or personal or any interest therein is limited in such a way that, if this Act had not been passed, it would (subject or not to any preceding limitations or charges) have devolved (as nearly as the law permits) along with a dignity or title of honour, then nothing in this Act shall operate to sever the property or any interest therein from such dignity, but the same shall go and devolve (without prejudice to the preceding limitations or charges aforesaid) in like manner as if this Act had not been passed. This subsection applies, whether or not there is any express reference to the dignity or title of honour and notwithstanding that in some events the property, or some interest therein, may become severed therefrom.

(4) This section applies only if and so far as a contrary intention is not expressed in the disposition, and shall have effect subject to the terms of the disposition and to the provisions therein contained.

Succession on intestacy of legitimated persons and their issue.

4. Where a legitimated person or a child or remoter issue of a legitimated person dies intestate in respect of all or any of his real or personal property, the same persons shall be entitled to take the same interests therein as they would have been entitled to take if the legitimated person had been born legitimate.

Application to illegitimate person dying before marriage of parents.

5. Where an illegitimate person dies after the commencement of this Act and before the marriage of his parents leaving any spouse, children or remoter issue living at the date of such marriage, then, if that person would, if living at the time of the marriage of his parents, have become a legitimated person, the provisions of this Act with respect to the taking of interests in property by, or in succession to, the spouse, children and remoter issue of a legitimated person (including those relating to the rate of death duties) shall apply as if such person as aforesaid had been a legitimated person and the date of the marriage of his parents had been the date of legitimation.

Personal rights and obligations of legitimated persons.

6.—(1) A legitimated person shall have the same rights, and shall be under the same obligations in respect of the maintenance and support of himself or of any other person as if he had been born legitimate, and, subject to the provisions of this Act, the provisions of any Act relating to claims for damages, compensation, allowance, benefit, or otherwise by or in respect of a legitimate child shall apply in like manner in the case of a legitimated person.

(2) Where the marriage leading to the legitimation of a child took place before the fourth day of January, nineteen hundred and twenty-six, and the father of the child died before that date, the child shall, for the purpose of determining rights to pension or additional allowance under the Widows', Orphans' and Old Age Contributory Pensions Act, 1925, be deemed to have been a child of the marriage living at that date:

15 & 16 Geo. 5. c. 70.

Provided that nothing in this subsection shall confer any right to claim any payment in respect of any period prior to the date of legitimation.

Death duties.

7. Where a legitimated person or any relative of a legitimated person takes any interest in real or personal property, any succession, legacy or other duty which becomes leviable after the date of legitimation shall be payable at the same rate as if the legitimated person had been born legitimate.

Provisions as to persons legitimated by extraneous law.

8.—(1) Where the parents of an illegitimate person marry or have married one another, whether before or after the commencement of this Act, and the father of the illegitimate person was or is, at the time of the marriage, domiciled in a country, other than England or Wales, by the law of which the illegitimate person became legitimated by virtue of such subsequent marriage, that person, if living, shall in England and Wales be recognised as having been so legitimated from the commencement of this Act or from the date of the marriage, whichever last happens, notwithstanding that his father was not at the time of the birth of such person domiciled in a country in which legitimation by subsequent marriage was permitted by law.

(2) All the provisions of this Act relating to legitimated persons and to the taking of interests in property by or in succession to a legitimated person and the spouse, children and remoter issue of a legitimated person (including those relating to the rate of death duties) shall apply in the case of a person recognised as having been legitimated under this section, or who

would, had he survived the marriage of his parents, have been so recognised; and, accordingly, this Act shall have effect as if references therein to a legitimated person included a person so recognised as having been legitimated.

(3) For the purposes of this section, the expression "country" includes Scotland and any other part of His Majesty's Dominions, as well as a foreign country.

Right of illegitimate child and mother of illegitimate child to succeed on intestacy of the other.

9.—(1) Where, after the commencement of this Act, the mother of an illegitimate child, such child not being a legitimated person, dies intestate as respects all or any of her real or personal property, and does not leave any legitimate issue her surviving, the illegitimate child, or, if he is dead, his issue, shall be entitled to take any interest therein to which he or such issue would have been entitled if he had been born legitimate.

(2) Where, after the commencement of this Act, an illegitimate child, not being a legitimated person, dies intestate in respect of all or any of his real or personal property, his mother if surviving shall be entitled to take any interest therein to which she would have been entitled if the child had been born legitimate and she had been the only surviving parent.

(3) This section does not apply to or affect the right of any person to take by purchase or descent any entailed interest in real or personal property.

(4) Subsections (1) and (2) of this section shall apply to Scotland with the substitution of "heritable" for "real" and "moveable" for "personal", and the expression "intestate" therein occurring shall have the same meaning as in the Intestate Moveable Succession (Scotland) Act, 1855, provided always that nothing in this section shall affect the right of any person to succeed under any entail.

18 & 19 Vict. c. 23.

Savings.

10.—(1) Nothing in this Act shall affect the succession to any dignity or title of honour or render any person capable of succeeding to or transmitting a right to succeed to any such dignity or title.

(2) Nothing in this Act shall affect the operation or construction of any disposition coming into operation before the commencement of this Act, or affect any rights under the intestacy of a person dying before the commencement of this Act.

Interpretation.

11. For the purposes of this Act, unless the context otherwise requires:—

The expression "legitimated person" means a person legitimated by this Act;

The expression "date of legitimation" means the date of the marriage leading to the legitimation, or where the marriage occurred before the commencement of this Act, the commencement of this Act;

The expression "disposition" means an assurance of any interest in property by any instrument whether inter vivos or by will;

15 Geo. 5. c. 23.

The expression "intestate" has the same meaning as in the Administration of Estates Act, 1925, and "will" includes "codicil";

15 Geo. 5. c. 20.

The expression "entailed interest" has the same meaning as in the Law of Property Act, 1925.

Short title and commencement.

12.—(1) This Act may be cited as the Legitimacy Act, 1926.

(2) This Act shall come into operation on the first day of January, nineteen hundred and twenty-seven.

(3) The provisions of this Act shall, save as therein otherwise expressly provided, extend only to England and Wales.

Section 1.

SCHEDULE.

Registration of Births of Legitimated Persons.

1. The Registrar-General may, on production of such evidence as appears to him to be satisfactory, authorise at any time the re-registration of the birth of a legitimated person whose birth is already registered under the Births and Deaths Registration Acts, 1836 to 1901, and such re-registration shall be effected in such manner and at such place as the Registrar-General may by regulations prescribe:

Provided that the Registrar-General shall not authorise the re-registration of the birth of any such person in any case where information with a view to obtaining such re-registration is not furnished to him by both parents, unless—

(*a*) the name of a person acknowledging himself to be the father of the legitimated person has been entered in the register in pursuance of section seven of the Births and Deaths Registration Act, 1874; or 37 & 38 Vict. c. 88.

(b) the paternity of the legitimated person has been established by an affiliation order or otherwise by a decree of a court of competent jurisdiction; or

(c) a declaration of the legitimacy of the legitimated person has been made under the Legitimacy Declaration Act, 1858, as amended by this Act.

2. It shall be the duty of the parents of a legitimated person, or, in cases where re-registration can be effected on information furnished by one parent and one of the parents is dead, of the surviving parent, within the time hereinafter specified, to furnish to the Registrar-General information with a view to obtaining the re-registration of the birth of that person; that is to say:—

(a) If the marriage took place before the commencement of this Act, within six months of such commencement;

(b) If the marriage takes place after the commencement of this Act, within three months after the date of the marriage.

3. Where the parents, or either of them, fail to furnish the necessary information within the time limited for the purpose, the Registrar-General may at any time after the expiration of that time require the parents of a person whom he believes to have been legitimated by virtue of this Act, or either of them, to give him such information concerning the matter as he may consider necessary, verified in such manner as he may direct, and for that purpose to attend personally either at a registrar's office or at any other place appointed by him within such time, not being less than seven days after the receipt of the notice, as may be specified in the notice.

4. The failure of the parents or either of them to furnish information as required by this schedule in respect of any legitimated person shall not affect the legitimation of that person.

5. No fee for re-registration under this schedule shall be charged if the necessary information for the purpose is furnished within the time above specified; but in any other case there shall be charged in respect of such re-registration such fees, not exceeding in the aggregate ten shillings, as may be prescribed by regulations under this schedule.

6. This schedule shall be construed as one with the Births and Deaths Registration Acts, 1836 to 1901.

CHAPTER 61.

An Act to regulate the publication of reports of judicial proceedings in such manner as to prevent injury to public morals.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Restriction on publication of reports of judicial proceedings.

1.—(1) It shall not be lawful to print or publish, or cause or procure to be printed or published—

(*a*) in relation to any judicial proceedings any indecent matter or indecent medical, surgical or physiological details being matter or details the publication of which would be calculated to injure public morals;

(*b*) in relation to any judicial proceedings for dissolution of marriage, for nullity of marriage, or for judicial separation, or for restitution of conjugal rights, any particulars other than the following, that is to say:—

(i) the names, addresses and occupations of the parties and witnesses;

(ii) a concise statement of the charges, defences and countercharges in support of which evidence has been given;

(iii) submissions on any point of law arising in the course of the proceedings, and the decision of the court thereon;

(iv) the summing-up of the judge and the finding of the jury (if any) and the judgment of the court and observations made by the judge in giving judgment:

Provided that nothing in this part of this subsection shall be held to permit the publication of anything contrary to the provisions of paragraph (*a*) of this subsection.

(2) If any person acts in contravention of the provisions of this Act, he shall in respect of each offence be liable, on summary conviction, to imprisonment for a term not exceeding four months, or to a fine not exceeding five hundred pounds, or to both such imprisonment and fine:

Provided that no person, other than a proprietor, editor, master printer or publisher, shall be liable to be convicted under this Act.

(3) No prosecution for an offence under this Act shall be commenced in England and Wales by any person without the sanction of the Attorney-General.

(4) Nothing in this section shall apply to the printing of any pleading, transcript of evidence or other document for use in connection with any judicial proceedings or the communication thereof to persons concerned in the proceedings, or to the printing or publishing of any notice or report in pursuance of the directions of the court; or to the printing or publishing of any matter in any separate volume or part of any bonâ fide series of law reports which does not form part of any other publication and consists solely of reports of proceedings in courts of law, or in any publication of a technical character bonâ fide intended for circulation among members of the legal or medical professions.

(5) In the application of this section to Scotland, for any reference to judicial proceedings for restitution of conjugal rights there shall be substituted a reference to an action of adherence or of adherence and aliment.

Short title and extent.

2.—(1) This Act may be cited as the Judicial Proceedings (Regulation of Reports) Act, 1926.

(2) This Act does not extend to Northern Ireland.

CHAPTER 62.

An Act to authorise the Treasury to guarantee certain loans to be raised respectively by the Government of Palestine and by the Governments of certain territories in East Africa.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Guarantee of Palestine and East African loan.

1.—(1) The Treasury may, subject to the provisions of this Act, guarantee in such manner and on such conditions as they think fit the payment of the principal of and the interest on any loan raised by the Government of Palestine for the purposes set out in the First Schedule to this Act and any loan raised by the Governments of Kenya, Uganda, Northern Rhodesia, Nyasaland, or Tanganyika for the purposes set out in the Second Schedule to this Act:

Provided that the amount of the principal of the loans to be guaranteed under this Act shall not in the aggregate exceed, as respects loans raised by the Government of Palestine an amount sufficient to raise four million five hundred thousand pounds, and as respects loans raised by the other Governments aforesaid an amount sufficient to raise ten million pounds.

(2) A guarantee shall not be given under this Act until the Government by which the loan is to be raised has provided to the satisfaction of the Treasury and the Secretary of State—

(*a*) For raising, appropriating, and duly applying the loan in the case of a loan to be raised by the Government of Palestine, for the purposes and in the manner set out in the First Schedule to this Act, and, in the case of a loan to be raised by any of the other Governments aforesaid, for the purposes and in the manner set out in the Second Schedule to this Act, subject in either case to any arrangements which may be made with the assent of the Treasury and the Secretary of State for the application of savings on one head of expenditure under the said First Schedule or the said Second Schedule, as the case may be, to another head of expenditure thereunder:

(*b*) For the establishment and regulation of one or more sinking funds for the purpose of the repayment of the principal of the loan or any instalment thereof within a period not exceeding forty years from the date on which the loan or instalment is actually raised and for the management of the sinking funds by trustees to be nominated by the Treasury:

(*c*) For charging on the general revenues and assets of the territory or colony concerned or on any other revenues or assets which may be made available for the purpose, with priority over any charges not existing at the date of the passing of this Act, the principal and interest of the loan and the payments to be made to the sinking funds to be established as aforesaid:

(*d*) For charging on the general revenues and assets of the territory or colony concerned immediately after the last mentioned charge the repayment to the Treasury of any sum issued in pursuance of this Act out of the Consolidated Fund on account of the guarantee under this Act with interest on the said sum at such rate as the Treasury may fix:

(*e*) For raising, or securing the raising of, sufficient money to meet the above charges,

nor, in the case of a loan to be raised by any Government other than the Government of Palestine, until after consultation with an advisory committee appointed by the Secretary of State subject to the approval of the Treasury.

(3) Any sums required by the Treasury for fulfilling any guarantee given under this Act shall be charged on and issued out of the Consolidated Fund or the growing produce thereof, and any sums received by way of the repayment of any sums so issued shall be paid into the Exchequer.

(4) The Secretary of State shall satisfy himself that fair conditions of labour are observed in the execution of all works carried out under any loan raised in pursuance of this Act.

Short title. **2.** This Act may be cited as the Palestine and East Africa Loans Act, 1926.

SCHEDULES.

FIRST SCHEDULE.

Purposes of Palestine Loan.

	£
1. Railways - - - - - - - -	1,640,000
2. Purchase of railway and other capital assets from His Majesty's Government - - - -	1,000,000
3. Harbour construction and port improvements -	1,115,000
4. Public buildings, telegraphs and telephones, surveys, minor works of development, and purposes incidental to or connected with any of the purposes mentioned in this Schedule, including the raising of the loan - - - - -	745,000
	4,500,000

SECOND SCHEDULE.

Purposes of East African Loans.

	£
1. Railways - - - - - - - -	6,500,000
2. Harbour construction and port improvements -	2,500,000
3. Roads, other works of development (including scientific research) and purposes incidental to or connected with any of the purposes mentioned in this Schedule, including the raising of the loans - - - - - - -	1,000,000
	10,000,000

CHAPTER 63.

An Act to provide for the better protection of the public in relation to the sale of food, including agricultural and horticultural produce.

[15th December 1926.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Prohibition of giving of short weight, measure or number.

1. A person shall not, in selling any article of food by weight, measure or number, deliver or cause to be delivered to the purchaser a less weight, measure or number, as the case may be, than is purported to be sold.

Statements as to weight or measure on pre-packed articles.

2. A statement as to the weight or measure of a pre-packed article of food shall be deemed to be a statement as to the net weight or measure thereof unless otherwise specified.

Misrepresentation.

3. A person shall not on or in connection with the sale of any article of food, or in exposing or offering any article of food for sale, make any misrepresentation either by word of mouth or otherwise, or commit any other act calculated to mislead the purchaser or prospective purchaser, as to the weight or measure of the article, or, if any articles are being sold or offered for sale by number, as to the number of articles sold or offered for sale.

Provisions applicable to the sale of certain articles of common consumption.

4.—(1) A person shall not sell any article of any of the kinds of food set forth in the First Schedule to this Act otherwise than by net weight except that, in the case of articles specified in Part II and Part III of that Schedule, where the article is weighed for sale in a wrapper or container the weight purported to be sold may include the weight of the wrapper or container if the weight of the wrapper or container does not exceed—

(*a*) in the case of an article specified in Part II of the Schedule two and a half drams; and

(*b*) in the case of an article specified in Part III of the Schedule for a parcel not exceeding three pounds in weight four and a half drams, for a parcel exceeding three pounds but not exceeding seven pounds in weight three and a half drams, and for a parcel exceeding seven pounds in weight three drams,

per pound of the article sold.

(2) A person shall not sell or have in his possession for sale any pre-packed article of food of any of the kinds set forth in the First Schedule to this Act, unless—

(*a*) the article is made up for sale in quantities of two ounces, or in multiples of two ounces up to a limit of eight ounces, in multiples of a quarter of a pound up to a limit of two pounds, in multiples of half a pound up to a limit of four pounds, or in multiples of one pound; and

(*b*) the wrapper or container bears thereon, or on a label securely attached thereto, a true statement in plain characters of the minimum net weight of the article contained therein, or, in any case where the weight of the wrapper or container is permitted by the preceding subsection to be included in the weight purported to be sold, of the minimum weight of the article with its wrapper or container:

Provided that, in the case where the article is made up for sale on the premises where it is sold or kept for sale by a retailer and is made up in quantities of two ounces, four ounces, eight ounces, one pound, or a multiple of one pound, it shall not be necessary that such a statement as aforesaid should be borne on or attached to the wrapper or container.

(3) Any such statement as aforesaid shall not be deemed to be untrue if it is shown that it was true at the time of packing or of importation, whichever was

the later, and the original wrapper or container has remained intact.

(4) A person shall not sell any article (not being a pre-packed article) of any of the kinds of food set forth in the First Schedule to this Act in quantities other than two ounces, four ounces, eight ounces, one pound, or multiples of one pound unless—

(*a*) the article is weighed in the presence of the purchaser and forthwith delivered to him; or

(*b*) the article is delivered to the purchaser accompanied by a legible statement of its weight.

(5) It shall be lawful to print on any wrapper or container in which any pre-packed article is contained a statement of weight notwithstanding anything in any other Act to the contrary.

(6) This section shall not apply in the case of any article which is proved to have been sold for shipment to a place outside Great Britain or to be intended to be so sold.

Provisions applicable to the sale of butchers' meat.

5.—(1) A person shall not sell any butchers' meat otherwise than by net weight.

(2) A person shall not deliver or cause to be delivered to a purchaser any butchers' meat without a legible statement of the net weight on which the purchase price is based unless delivery is made to the purchaser on or at the premises of the seller immediately after the meat has been weighed in the presence of the purchaser:

Provided that where at the request of the purchaser the meat is boned, trimmed, or subjected to any other process involving loss of weight before delivery, and the bones or other material thus removed are not delivered with the meat, or where at the request of the purchaser delivery of the meat is deferred, such statement as aforesaid shall include a statement of the net weight of the meat as sent out for delivery as well as the net weight on which the purchase price is based.

Provisions applicable

6.—(1) A person shall not sell or offer for sale any bread otherwise than by net weight.

to the sale of bread.

(2) A person shall not sell or have in his possession for sale or delivery under a contract of sale any loaf of bread unless its net weight is one pound or an integral number of pounds:

Provided that this subsection shall not apply to loaves supplied under contract where the contract provides for the supply for consumption on the premises of the purchaser of not less than half a hundredweight of bread at a time, and for the weighing of the bread on delivery.

(3) The foregoing provisions of this section shall not apply to fancy bread or to loaves not exceeding twelve ounces in weight:

Provided that the foregoing provisions shall apply to pan loaves, French loaves, and loaves of a similar character, with this modification, that in Scotland any such loaf of the net weight of one-and-three-quarter pounds may be sold or delivered for sale if the weight is clearly marked either by an impression made in baking or on any printed band or wrapper surrounding or containing the loaf.

(4) Every person selling bread, or having in his possession any bread for the purpose of sale, shall provide and keep in some conspicuous part of his shop or premises a correct weighing instrument of a pattern suitable for weighing bread, and shall, if so required by the purchaser, or by an inspector of weights and measures, weigh the bread in the presence of the person so requiring, or, if the person so requiring is such an inspector as aforesaid, shall permit the inspector to weigh the bread.

(5) Every person carrying bread for sale or delivery to a purchaser shall, if so required by an inspector of weights and measures, permit the inspector to weigh the bread.

Provisions applicable to the sale of milk.

7.—(1) A person shall not sell any milk, or have in his possession for sale or delivery on sale any pre-packed milk, except in quantities of half a pint or multiples of half a pint.

(2) This section shall extend to skimmed and separated milk and pasteurised milk and to milk which has been subjected to any other process, except that it shall not apply to dried or condensed milk.

8. Nothing contained in the last four foregoing sections of this Act shall apply to the sale or offering for sale of any article of food for consumption on or at the premises of the seller, or to sales in petty amounts. Savings.

9.—(1) The Board of Trade, after consultation with the Minister of Agriculture and Fisheries and such interests as appear to them to be concerned, may make regulations for the purpose— Power of Board of Trade to make regulations.

(*a*) of making additions to or removals from or otherwise varying the list of articles set forth in the First Schedule to this Act;

(*b*) of requiring any articles of food other than those required by this Act to be sold by weight or by measure to be sold only by weight or by measure, and of applying to any such articles any of the provisions of this Act, either without modification or subject to such modifications as may be specified in the regulations;

(*c*) of requiring any pre-packed articles of food other than those mentioned in the First Schedule to this Act to be labelled with an indication of their weight or measure;

(*d*) of prescribing the manner in which indications of weight or measure are to be marked on pre-packed articles required by or under this Act to be marked with such indications, and the manner of re-sealing wrappers and containers broken open under this Act;

and where the First Schedule is varied by the regulations this Act shall have effect as if the Schedule as so varied was substituted for the Schedule contained in this Act.

(2) Before any regulations other than regulations under paragraph (*d*) of subsection (1) of this section are made, the draft of the proposed regulations shall be laid before both Houses of Parliament, and the regulations shall not be made unless both Houses by resolution approve the draft either without modification or addition or with modifications or additions to which both Houses agree, but upon such approval being given the regulations

may be made in the form in which they have been so approved.

Regulations made under paragraph (*d*) of subsection (1) of this section shall be laid before both Houses of Parliament as soon as may be after they are made.

(3) Regulations made under this section, if and so far as they relate to pre-packed articles, shall not come into force before the expiration of a period of six months after they are made.

Powers of inspection and entry.
41 & 42 Vict. c. 49.

10.—(1) The power of inspection and of entry conferred upon inspectors of weights and measures by section forty-eight of the Weights and Measures Act, 1878, for the purposes therein specified shall extend to the inspection and weighing or measuring by any such inspector of any pre-packed articles of food for the purpose of ascertaining whether they comply with the requirements of this Act, and to the entry into any place in which the inspector has reasonable cause to believe that any such pre-packed articles intended for sale are situated.

(2) Where any person has in his possession for sale or delivery on sale any pre-packed article of food of any kind which is required by or under this Act to be sold by weight or measure, or any article of food in respect of which any representation of weight or measure is made, he shall, if so requested by an inspector of weights and measures weigh or measure such article in the inspector's presence or permit the inspector to weigh or measure it, and, if necessary for this purpose, shall break open, or allow the inspector to break open, any wrapper or container in which such article is packed, and shall also if so requested by the inspector sell the article to him.

(3) Where any wrapper or container in which any pre-packed article is held ready for retail sale, or is being delivered on retail sale, is broken open by or at the request of an inspector of weights and measures for the purpose of ascertaining the weight or measure of its contents and is found to comply with the requirements of this Act then, where the wrapper or container can be re-sealed without injury to the contents, the inspector

shall re-seal the wrapper or container with a label certifying that the weight or measure of the contents has been proved to be correct, and if the inspector does not so re-seal the wrapper or container the retailer may if he so desires require the said inspector to purchase the article on behalf of the local authority.

(4) All weights, measures, weighing and measuring appliances used by an inspector of weights and measures in pursuance of this Act shall be made of such material, and in such form, as may be approved by the Board of Trade, and shall be verified and periodically reverified in such manner as the Board of Trade may from time to time direct.

Penalties.

11.—(1) Any person who refuses to comply with a request made by an inspector of weights and measures under this Act, or in any other manner obstructs or hinders an inspector in the exercise of his duties under this Act, shall be liable on summary conviction to a fine not exceeding in the case of a first offence five pounds, and in the case of a second or subsequent offence ten pounds.

(2) Any person who fails to provide or keep a suitable weighing machine for weighing bread as required by this Act shall be liable on summary conviction to a fine not exceeding five pounds.

(3) Any person who acts in contravention of any other provision of this Act for which no special penalty is provided shall be liable on summary conviction to a fine not exceeding in the case of a first offence five pounds, in the case of a second offence twenty pounds, and in the case of a third or subsequent offence fifty pounds.

Safeguards to traders.

12.—(1) In any proceedings under this Act in respect of an alleged deficiency of weight or measure of any pre-packed article or of bread, the court shall disregard any inconsiderable variation in the weight or measure of a single article, and shall have regard to the average weight or measure of a reasonable number of other articles of the same kind (if any) sold or delivered by the defendant, or in his possession for the purpose of sale or delivery, on the same occasion, and generally to all the circumstances of the case.

(2) In any proceedings under this Act in respect of an alleged deficiency of weight or measure or number, if the defendant proves to the satisfaction of the Court that such deficiency was due to a *bona fide* mistake or accident, or other causes beyond his control, and in spite of all reasonable precautions being taken and all due diligence exercised by the said defendant to prevent the occurrence of such deficiency, or was due to the action of some person over whom the defendant had no control, the defendant shall be discharged from the prosecution.

(3) In any proceedings under this Act in respect of an alleged deficiency in the weight of any article of food delivered to a purchaser, the defendant shall be discharged from the prosecution if he proves to the satisfaction of the court that the alleged deficiency was due to unavoidable evaporation or drainage and that due care and precaution had been taken to avoid such deficiency.

38 & 39 Vict. c. 63.
62 & 63 Vict. c. 51.

(4) The provisions of section twenty-five of the Sale of Food and Drugs Act, 1875, and of section twenty of the Sale of Food and Drugs Act, 1899, relating to warranties, as set out with appropriate modifications in the Second Schedule to this Act, are hereby incorporated with this Act and shall apply to offences under this Act in respect of pre-packed articles of food, as they apply to proceedings for offences against the Sale of Food and Drugs Acts, 1875 to 1907.

(5) Where an employer or principal is charged with an offence against this Act, he shall be entitled on information duly laid by him, and on giving not less than three days' notice of his intention to the prosecution, to have any other person whom he charges as the actual offender brought before the court at the time appointed for hearing the charge, and, if after the commission of the offence has been proved, the employer or principal proves to the satisfaction of the court that he had used due diligence to enforce the execution of this Act, and that the said other person had committed the offence in question without his consent, connivance or wilful default, the said other person shall be summarily convicted of the offence and the employer or principal shall be exempt from any penalty:

15 6: Provided that the prosecution shall have in any such case the right to cross-examine the employer or principal if he gives evidence, and any witnesses called by him in support of his charge and to call rebutting evidence.

The person so convicted shall, in the discretion of the court, be also liable to pay any costs incidental to the proceedings.

(6) A prosecution in respect of an offence by a retailer under this Act, other than an offence of obstructing or hindering an inspector in the exercise of his duties, shall not be instituted after the expiration of twenty-eight days from the time when the offence was committed, nor unless within seven days after the alleged commission of the offence notice in writing of the date and nature of the alleged offence has been served on or sent by registered post to the defendant, nor unless in the case of any alleged deficiency the person against whom the allegation is made has been given reasonable opportunity to check the weight, measure or number of the article or articles in respect of which such allegation is made.

(7) A prosecution under this Act shall not be instituted except by or on behalf of the Director of Public Prosecutions, a police authority or a local authority.

Interpretation.

13.—(1) For the purpose of this Act unless the context otherwise requires—

The expression "purchaser" includes any person acting on behalf of the purchaser;

The expression "pre-packed" article means any article which is packed or made up in advance ready for retail sale in a wrapper or container, and where any article packed or made up in a wrapper or container is found on any premises where such articles are packed, kept or stored for sale, the article shall be deemed to be packed or made up in advance ready for retail sale unless the contrary is proved;

The expression "food" has the same meaning as in the Sale of Food and Drugs Act, 1899, that is to say, it means and includes every article used for food or drink by man, and any article which ordinarily enters into or is used in the composition or preparation of human food; and also includes flavouring matters and condiments, but does not include articles sold or offered for sale as seed potatoes or seeds in respect of which the requirements of the Seeds Act, 1920, are complied with; 10 & 11 Geo. 5. c. 54.

The expression "butchers' meat" means beef, mutton, veal, lamb or pork, whether fresh, chilled, frozen or salted, and includes livers, but does not include heads, feet, hearts, lights, kidneys or sweetbreads, bacon, ham, pressed beef or any meat so treated as to be fit for human consumption without further preparation or cooking;

The expression "sale in petty amounts" means sale by the single pennyworth, or less than the pennyworth, or sale in quantities purporting to be less than two ounces.

(2) For the purposes of this Act, a person shall not be deemed to weigh or measure any article in the presence of the purchaser or an inspector of weights and measures, as the case may be, unless he causes the weighing or measuring appliance or appliances used for the purpose to be so placed, and so conducts the operation of weighing or measuring the article, as to permit the purchaser or inspector a clear and unobstructed view of the said appliance or appliances and of the said operation and of all the indications of weight or measure pertaining to such operation.

(3) Any powers or duties conferred or imposed by this Act on an inspector of weights and measures may, in any case where the local authority so determine, be exercised or performed by any other officer of the local authority appointed by them to act on behalf of an inspector of weights and measures for the purposes of this Act, and all references in this Act to inspectors of weights and measures shall be construed accordingly.

(4) In the application of this Act to Scotland—

(*a*) references to the Board of Agriculture for Scotland shall be substituted for references to the Minister of Agriculture and Fisheries, and the expression "information" shall mean petition or complaint;

(*b*) nothing contained in section twenty-seven of the Milk and Dairies (Scotland) Act, 1914, shall be construed as limiting or affecting the application of the provisions of the Second Schedule to this Act to proceedings in respect of pre-packed milk;

4 & 5 Geo. 5. c. 46.

(*c*) for any reference to the Director of Public Prosecutions there shall be substituted a reference to the Lord Advocate.

Application of Act.

14. This Act, except so far as it applies to pre-packed articles of food, shall apply only to retail dealings.

Short title, construction, commencement, repeal and extent.

15.—(1) This Act may be cited as the Sale of Food (Weights and Measures) Act, 1926, and shall be construed as one with the Weights and Measures Acts, 1878 to 1926, and shall be included amongst the Acts which may be cited as the Weights and Measures Acts, 1878 to 1926.

(2) This Act shall come into operation on the first day of July, nineteen hundred and twenty-seven, except that the provisions of this Act so far as they relate to pre-packed articles other than tea shall not take effect until the expiration of such period, not being less than six months from that date, as the Board of Trade may by order determine, and different periods may be fixed by the Board in regard to different articles.

(3) The enactments set forth in the Third Schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

(4) This Act shall not apply to Northern Ireland.

SCHEDULES.

Sections 4 and 9.

FIRST SCHEDULE.

PART I.

ARTICLES REQUIRED TO BE SOLD BY NET WEIGHT.

Tea.
Coffee beans.
Ground coffee, including chicory mixtures.
Cocoa.
Cocoa powder.
Chocolate powder.
Potatoes.

PART II.

ARTICLES REQUIRED TO BE SOLD BY NET WEIGHT, EXCEPT WHERE WEIGHED FOR SALE IN A WRAPPER OR CONTAINER AND THE WEIGHT OF THE WRAPPER OR CONTAINER DOES NOT EXCEED TWO AND A HALF DRAMS PER POUND OF THE ARTICLES SOLD.

Bacon.
Ham.
Butter.
Lard.
Suet.
Margarine.

PART III.

ARTICLES REQUIRED TO BE SOLD BY NET WEIGHT, EXCEPT WHERE WEIGHED FOR SALE IN A WRAPPER OR CONTAINER, AND THE WEIGHT OF THE WRAPPER OR CONTAINER DOES NOT EXCEED THE SPECIFIED NUMBER OF DRAMS PER POUND OF THE ARTICLE SOLD.

Flour of wheat, rye, maize, pea, or bean, including self-raising flour and cake flour.
Cornflour.
Oatmeal.
Rolled oats.
Rice.
Sago.
Tapioca.
Sugar.
Dried beans.
Dried peas.
Dried currants.
Dried raisins.
Dried sultanas.

SECOND SCHEDULE.

Sections 12 and 13.

Provisions of the Sale of Food and Drugs Acts applied.

(1) If in any proceedings under this Act in respect of any pre-packed article of food the defendant proves that he purchased the article in the wrapper or container in which he sold it or had it in his possession for the purposes of sale and with a written warranty of the weight or measure or number of the article, and that he had no reason to believe, at the time when he sold it or had it in his possession for the purposes of sale, that the article or its wrapper or container did not comply with the provisions of this Act, he shall be entitled to be discharged from the prosecution.

(2) A warranty shall not be available as a defence to any proceedings under this Act unless the defendant has, within seven days after service of the summons, sent to the prosecutor a copy of such warranty with a written notice stating that he intends to rely on the warranty and specifying the name and address of the person from whom he received it, and has also sent a like notice of his intention to such person.

(3) The person by whom such warranty is alleged to have been given shall be entitled to appear at the hearing and to give evidence, and the court may, if it thinks fit, adjourn the hearing to enable him to do so.

(4) A warranty given by a person resident outside Great Britain shall not be available as a defence to any proceeding under this Act, unless the defendant proves that he had taken reasonable steps to ascertain, and did in fact believe in, the accuracy of the statement contained in the warranty.

(5) Where the defendant is a servant of the person to whom a warranty was given, he shall, subject to the provisions hereof, be entitled to rely on the defence hereby allowed in the same way as his employer or master would have been entitled to do if he had been the defendant, provided that the servant further proves that he had no reason to believe that the pre-packed article did not comply with the provisions of this Act.

(6) Where the defendant in a prosecution under this Act has been discharged under the provisions of this schedule, any proceedings for giving the warranty relied on by the defendant in such prosecution may be taken as well before a court having

2ND SCH. —*cont.*

jurisdiction in the place where the contravention of this Act took place, as before a court having jurisdiction in the place where the warranty was given.

(7) Every person who, in respect of the weight measure or number of any article of food sold by him as principal or agent, gives to the purchaser a false warranty in writing, shall be liable on summary conviction, for a first offence, to a fine not exceeding twenty pounds, for a second offence to a fine not exceeding fifty pounds, and for any subsequent offence to a fine not exceeding one hundred pounds, unless he proves to the satisfaction of the court that when he gave the warranty he had reason to believe that the statements or descriptions contained therein were true.

(8) For the purposes of the foregoing provisions a statement on any container or any wrapper, band or label affixed thereto or delivered therewith or a statement contained in an invoice, shall be deemed to be a written warranty.

(9) An invoice describing the weight or measure or number of the article shall be a sufficient warranty notwithstanding that it contains no words of express warranty or was delivered after the purchase of the article.

Section 15.

THIRD SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
3 Geo. 4. c. cvi.	An Act to repeal the Acts now in force relating to Bread to be sold in the City of London and the Liberties thereof, and within the Weekly Bills of Mortality, and ten miles of the Royal Exchange; and to provide other regulations for the Making and Sale of Bread, and preventing the Adulteration of Meal, Flour, and Bread, within the limits aforesaid.	Sections three, four, eight and nine.
6 & 7 Will. 4. c. 37.	The Bread Act, 1836 -	Sections three, four, six and seven.

3rd Sch. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
34 & 35 Vict. c. cxli.	The Aberdeen Municipality Extension Act, 1871.	Section one hundred and fifty-one.
45 & 46 Vict. c. clxxxv.	The Dundee Police and Improvement Consolidation Act, 1882	Section one hundred and seventy-two in so far as it incorporates section two hundred and seventy of the General Police and Improvement (Scotland) Act, 1862.
52 & 53 Vict. c. 21.	The Weights and Measures Act, 1889.	Section thirty-two.
55 & 56 Vict. c. 55.	Burgh Police (Scotland) Act, 1892.	Section four hundred and twenty-seven.
58 & 59 Vict. c. cxliii.	The Glasgow Corporation and Police Act, 1895.	Section thirty-six.
4 Edw. 7. c. 28.	The Weights and Measures Act, 1904.	Section eleven.
9 Edw. 7. c. cxxix.	The Greenock Corporation Act, 1909.	Section three hundred and sixty-seven in so far as it relates to section four hundred and twenty-seven of the Burgh Police (Scotland) Act, 1892.
3 & 4 Geo. 5. c. lxxiv.	The Edinburgh Corporation Act, 1913.	Section eighty-five.
12 & 13 Geo. 5. c. 29.	The Sale of Tea Act, 1922.	The whole Act.

TABLE II.

A TABLE
OF
THE TITLES OF THE MEASURES PASSED BY THE NATIONAL ASSEMBLY OF THE CHURCH OF ENGLAND WHICH RECEIVED THE ROYAL ASSENT DURING THE YEAR 1926.

[16 & 17 Geo. 5.]

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16 Geo. 5.

Royal Assent, 26th March, 1926.

No. 1. A Measure to transfer the parishes of Brislington Saint Luke and Brislington Saint Anne from the Diocese of Bath and Wells to the Diocese of Bristol, and for purposes connected therewith. (*Brislington Parishes* (*Transfer*).)

No. 2. A Measure to transfer the Rural Deaneries of Pontefract and Hemsworth from the Diocese of York to the Diocese of Wakefield, to provide for additional honorary canonries in the Cathedral Church of Wakefield, and for purposes connected therewith. (*Rural Deaneries of Pontefract and Hemsworth* (*Transfer*).)

Royal Assent, 29th April, 1926.

No. 3. A Measure to sever the canonries in the Cathedral Church of Manchester from the benefices annexed thereto, and otherwise to amend the Parish of Manchester Division Act, 1850. (*Parish of Manchester Division Act*, 1850 (*Amendment*).)

16 & 17 Geo. 5.

Royal Assent, 15th July, 1926.

No. 4. A Measure to amend the Ecclesiastical Commissioners Acts, 1840 and 1841, and the Ecclesiastical Commissioners Act, 1840, Amendment Act, 1885, and to make further provision for the augmentation of archdeaconries, for aiding the endowment funds of new bishoprics, for bishops' costs of legal proceedings, for the maintenance of Lambeth Palace, and the repair of other Episcopal Residences. (*Ecclesiastical Commissioners.*)

No. 5. A Measure to provide for the extinguishment or redemption of first fruits and tenths. (*First Fruits and Tenths.*)

ROYAL ASSENT, 4th August, 1926.

No. 6. A Measure to establish a system of Pensions for the Clergy (other than Diocesan Bishops), to provide for the transition from the Incumbents Resignation Acts, 1871 and 1887, to such system, and to effect changes in the constitution and management of the Clergy Pensions Institution. (*Clergy Pensions.*)

ROYAL ASSENT, 15th December, 1926.

No. 7. A Measure to provide for Bishops' Pensions. (*Episcopal Pensions.*)

No. 8. A Measure to consolidate and amend the law relating to the due performance of the Ecclesiastical Duties of Benefices, and to make provision for the Stipends of Curates appointed under the Measure and in certain other cases. (*Benefices (Ecclesiastical Duties).*)

MEASURES

PASSED BY THE NATIONAL ASSEMBLY OF THE CHURCH OF ENGLAND WHICH RECEIVED THE ROYAL ASSENT DURING THE YEAR 1926.

16 Geo. 5.

No. 1.

A MEASURE passed by the National Assembly of the Church of England

To transfer the parishes of Brislington Saint Luke and Brislington Saint Anne from the Diocese of Bath and Wells to the Diocese of Bristol, and for purposes connected therewith.

[26th March 1926.]

Transfer of Brislington parishes.

1. As from the appointed day the parishes of Brislington Saint Luke and Brislington Saint Anne (in this Measure referred to as " the transferred parishes ") shall be transferred from the diocese of Bath and Wells to the diocese of Bristol and shall be in the archdeaconry of Bristol and the rural deanery of Bedminster :

Provided that nothing in this Measure or in any scheme thereunder shall have effect so as to exclude the transferred parishes from the area of benefit under the charity known as " Bishop Monk's Horfield Trust."

Provisions consequential on transfer.

2.—(1) The patronage of the transferred parishes shall as from the appointed day be transferred to and vest in the Bishop of Bristol.

(2) As soon as possible after the appointed day there shall be transferred to the registrar of the diocese of Bristol or to such other officer of that diocese as the bishop thereof may appoint, from the registrar of the diocese of Bath and Wells or any other officer of that diocese who may be in possession thereof, all terriers, tithe apportionments, maps, plans and other documents relating exclusively to either of the transferred parishes.

Schemes by Ecclesiastical Commissioners.

3. The Ecclesiastical Commissioners may at any time within twelve months after the appointed day lay before His Majesty in Council for confirmation a scheme for all or any of the following matters, namely :—

(1) for providing for the transfer of any property which at the appointed day is held by the diocesan authority of the diocese of Bath and Wells, or by any body of trustees in that diocese, on behalf of either of the transferred parishes, to the diocesan authority of the diocese of Bristol;

(2) for making such arrangements as may seem to the Ecclesiastical Commissioners requisite to preclude any officer holding office at the passing of this Measure from being prejudiced by this Measure or any Order in Council or scheme thereunder;

(3) for making such other provisions and arrangements, whether similar or not to the foregoing, as may be necessary for carrying into complete effect the provisions of this Measure;

and a scheme under this section when so confirmed shall have effect as if enacted in this Measure.

Saving as to charitable endowments.

4. Nothing in this Measure or in any scheme thereunder shall prejudice or affect any right, interest or jurisdiction in or over any charitable endowment.

Saving as to service of incumbent, &c.

5. The service of any person either before, or partly before and partly after, the appointed day, as incumbent or curate in either of the transferred parishes, shall for the purpose of qualifying such incumbent or curate to be presented or nominated to any benefice in the patronage of the chapter of any cathedral or collegiate church be deemed to be service both in the diocese of Bristol and in the diocese of Bath and Wells.

Definitions.

6. In this Measure the expression "the appointed day" means the first day of May, nineteen hundred and twenty-six, and the expression "diocesan authority" has the same meaning as in the Parochial Church Councils (Powers) Measure, 1921.

Short title.

7. This Measure may be cited as the Brislington Parishes (Transfer) Measure, 1926.

No. 2.

A MEASURE passed by the National Assembly of the Church of England

To transfer the Rural Deaneries of Pontefract and Hemsworth from the Diocese of York to the Diocese of Wakefield, to provide for additional honorary canonries in the Cathedral Church of Wakefield, and for purposes connected therewith. [26th March 1926.]

Transfer of rural deaneries of Pontefract and Hemsworth.

1. As from the appointed day the rural deaneries of Pontefract and Hemsworth (in this Measure referred to as "the transferred rural deaneries"), consisting respectively of the parishes set out in Part I. and Part II. of the Schedule to this Measure, shall be transferred from the diocese of York to the diocese of Wakefield and shall be in the archdeaconry of Huddersfield.

Provisions consequential on transfer.

2.—(1) The patronage of all ecclesiastical dignities and benefices situate in the transferred rural deaneries which immediately before the appointed day is vested in the Archbishop of York shall as from the appointed day be transferred to and vest in the Bishop of Wakefield.

(2) As soon as possible after the appointed day there shall be transferred to the registrar of the diocese of Wakefield or to such other officer of that diocese as the bishop thereof may appoint, from the registrar of the diocese of York or any other officer of that diocese who may be in possession thereof, all terriers, tithe apportionments, maps, plans and other documents relating exclusively to the transferred rural deaneries or to any of the parishes situate therein.

Schemes by Ecclesiastical Commissioners.

3. The Ecclesiastical Commissioners may at any time within twelve months after the appointed day lay before His Majesty in Council for confirmation a scheme for all or any of the following matters, namely :—

(1) for founding additional honorary canonries in the Cathedral Church of Wakefield to any number not exceeding six;

(2) for providing for the transfer of any property which at the appointed day is held by the diocesan authority of the diocese of York, or by any body of trustees in that diocese, on behalf of any parish affected by this Measure to the diocesan authority of the diocese of Wakefield;

(3) for making such arrangements as may seem to the Ecclesiastical Commissioners requisite to preclude any officer holding office at the passing of this Measure from being prejudiced by this Measure or any Order in Council or scheme thereunder;

(4) for making such other provisions and arrangements, whether similar or not to the foregoing, as may be necessary for carrying into complete effect the provisions of this Measure;

and a scheme under this section when so confirmed shall have effect as if enacted in this Measure.

Saving as to charitable endowments.

4. Nothing in this Measure or in any scheme thereunder shall prejudice or affect any right, interest or jurisdiction in or over any charitable endowment.

Saving as to service of incumbent, &c.

5. The service of any person either before, or partly before and partly after, the appointed day, as incumbent or curate in any parish which, by virtue of this Measure, is transferred from the diocese of York to the diocese of Wakefield, shall for the purpose of qualifying such incumbent or curate to be presented or nominated to any benefice in the patronage of the chapter of any cathedral or collegiate church be deemed to be service both in the diocese of Wakefield and in the diocese of York.

Definitions.

6. In this Measure the expression "the appointed day" means the first day of May nineteen hundred and twenty-six, and the expression "diocesan authority" has the same meaning as in the Parochial Church Councils (Powers) Measure, 1921.

Short title.

7. This Measure may be cited as the Rural Deaneries of Pontefract and Hemsworth (Transfer) Measure, 1926.

SCHEDULE.

Part I.

Rural Deanery of Pontefract.

Ackworth (S. Cuthbert)
Altofts (S. Mary Magd.)
Badsworth (S. Mary)
Brotherton (S. Ed. Conf.)
Carlton (S. Michael)
Castleford (All Saints)
Castleford (S. Michael)
Darrington All Saints with Wentbridge
East Hardwick (S. Stephen)
Featherstone (All Saints)
Ferry Fryston (S. Andrew)
Glass Houghton
Kellington S. Ed. with Whitley
Kirk Smeaton (S. Peter)
Knottingley (S. Botolph)
Knottingley E. (Ch. Ch.)
Normanton (All Saints)
Pontefract (S. Giles)
Pontefract (All Saints)
Purston with S. Featherstone
Whitwood (S. Phillip)
Whitwood Mere (All Saints)
Womersley (S. Martin)
Wragby (S. Oswald)

Part II.

Rural Deanery of Hemsworth.

Carlton (S. John)
Cudworth (S. John)
Felkirk (S. Peter)
Grimethorpe (S. Luke)
Hemsworth (S. Helen)
Kinsley
Monk Bretton (S. Paul)
Royston (S. John Bapt.)
Ryhill (S. James)
South Elmsall (S. Mary)
South Kirkby (All Saints)

No. 3.

A MEASURE passed by the National Assembly of the Church of England

To sever the canonries in the Cathedral Church of Manchester from the benefices annexed thereto, and otherwise to amend the Parish of Manchester Division Act, 1850.

[29th April 1926.]

Severance of annexed benefices from

1.—(1) Subject to the provisions of this section—

(i) the benefices annexed to the canonries in the Cathedral Church of Manchester (in this canonries in Manchester Cathedral: rights of existing canons.

Measure referred to as "Manchester Cathedral") shall be and the same hereby are severed from the said canonries; and

(ii) a canon of Manchester Cathedral shall be incapable of holding the benefice formerly annexed to his canonry or any other benefice with cure of souls.

(2) The foregoing provisions of this section shall not apply to a canon of Manchester Cathedral holding office at the passing of this Measure, and any such canon may either—

(i) retain both his canonry and the benefice annexed thereto; or

(ii) retain his canonry, but resign the annexed benefice; or

(iii) resign his canonry, but retain the annexed benefice.

(3) In this Measure the expression "canon" does not include an honorary canon or a minor canon.

Additional duties of canons.

2.—(1) A canon of Manchester Cathedral shall, so far as the duties of his canonry, other than the duties assigned to him under this section, permit, undertake and perform within the ancient parish of Manchester, and within the diocese of Manchester, such additional duties as the bishop of the diocese may from time to time assign to him.

(2) This section shall not apply to a canon who under the provisions of this Measure retains both his canonry and the benefice annexed thereto.

Patronage of severed benefices.

3. The patronage of the benefices severed by this Measure from the canonries in Manchester Cathedral shall be and the same hereby is vested in the Dean and Chapter of the said Cathedral.

Stipends of minor canons: allocation of residue of Cathedral revenues.

4.—(1) The provisions of the Parish of Manchester Division Act, 1850, relating to the annual revenues of the Chapter of Manchester Cathedral shall have effect subject to the following modifications (that is to say):—

(i) a chaplain or minor canon of the said cathedral may receive out of the said revenues such annual sum exceeding the annual sum of two hundred and fifty pounds as the Ecclesiastical

Commissioners may from time to time sanction, and such annual sum may be either greater or less than that received by any other chaplain or minor canon; and

(ii) no endowment or augmentation provided for a benefice after the passing of this Measure which is not derived from the said revenues or some other ecclesiastical property shall be taken into account by the Ecclesiastical Commissioners for the purposes of the first proviso to section twenty-three of the said Act, unless the net annual value of such benefice exceeds an amount fixed for the purposes of this section by the said Commissioners.

(2) The Ecclesiastical Commissioners shall have power to determine the net annual value of any benefice in any case where such determination is required for the purposes of this section.

5. This Measure may be cited as the Parish of Manchester Division Act, 1850 (Amendment) Measure, 1926. Short title.

6. The provisions of the Parish of Manchester Division Act, 1850, referred to in the first column of the Schedule to this Measure are hereby repealed to the extent mentioned in the second column of the said Schedule. Repeal.

SCHEDULE.

Provisions of the Parish of Manchester Division Act, 1850, repealed.	Extent of Repeal.
Section 14 - - - -	So far as it limits the annual sum which may be paid out of cathedral revenues to chaplains or minor canons to two hundred and fifty pounds.
Section 15 - - - -	The whole section except in respect of existing canons.
Section 16 - - - -	So far as it refers to the patronage of benefices severed from canonries by this Measure.

16 & 17 Geo. 5.

No. 4.

A MEASURE passed by the National Assembly of the Church of England

To amend the Ecclesiastical Commissioners Acts, 1840 and 1841, and the Ecclesiastical Commissioners Act, 1840, Amendment Act, 1885, and to make further provision for the augmentation of archdeaconries, for aiding the endowment funds of new bishoprics, for bishops' costs of legal proceedings, for the maintenance of Lambeth Palace, and the repair of other Episcopal Residences.

[15th July 1926.]

Power to Commissioners to grant not more than 300*l.* per annum for archdeaconries.

1. The limitation to two hundred pounds per annum, expressed in the thirty-fourth section of the Ecclesiastical Commissioners Act, 1840, and the second section of the Ecclesiastical Commissioners Act, 1840, Amendment Act, 1885, of the amount to which the income of any archdeaconry may be augmented out of the common fund of the Ecclesiastical Commissioners is hereby removed, and the Ecclesiastical Commissioners are hereby authorised to make in accordance with the provisions of those Acts for the augmentation or endowment of any archdeaconry a grant not exceeding, together with any existing grant or grants in augmentation of the income of the same archdeaconry, the sum of three hundred pounds per annum, provided that the whole income of the archdeaconry, including the income derived from any ecclesiastical office or preferment annexed to the same archdeaconry, be not thereby raised beyond the sum of one thousand pounds per annum: and in any case in which the Order of His Majesty in Council ratifying a scheme of the Ecclesiastical Commissioners for the endowment or augmentation of any archdeaconry by a grant out of the common fund of the Commissioners or by the annexation of any ecclesiastical office or preferment thereto or by any other of the means authorised for the endowment or augmentation of an archdeaconry shall declare that procurations, synodals, visitation fees and induction fees or any of these fees or payments shall not be receivable by the archdeacon, all such fees or payments shall cease to be payable to the archdeacon of that archdeaconry.

Disannexation of canonry or benefice from archdeaconry.

2. The disannexation from any archdeaconry of any annexed canonry or portion of the income of a canonry or benefice may be effected by the means prescribed in the eleventh section of the Ecclesiastical Commissioners Act, 1841, notwithstanding anything contained in that section, whether the annexation had been made under the provisions of the Ecclesiastical Commissioners Act, 1840, or the Ecclesiastical Commissioners Act, 1841, or otherwise, and whether or not the canonry or portion of the income of a canonry or benefice so disannexed be, or be intended to be, annexed to any other archdeaconry.

Power to Commissioners to contribute towards endowment of certain bishoprics.

3. The Ecclesiastical Commissioners may, out of their common fund by resolution, make contributions—

(*a*) towards the provision of the minimum endowment required to be raised as a condition of the foundation of any new bishopric hereafter to be founded under the provisions of any Measure already passed, or which may hereafter be passed, provided that no such contribution shall be made except upon condition that there shall be first raised from sources other than ecclesiastical endowments, and paid over to the Ecclesiastical Commissioners for the same purpose, a sum of not less than ten times the amount thereof; and

(*b*) towards raising to three thousand pounds a year the annual value of the endowment fund (exclusive of the annual value of any episcopal residence and of any part of the fund allotted to or required for the provision of the episcopal residence) of any bishopric founded under the provisions of the Bishopric of St. Albans Act, 1875, or of any Act or Measure subsequent thereto, provided that no such contributions shall be made except upon condition that there shall be first given from sources other than ecclesiastical endowments and paid over to or otherwise secured to the satisfaction of the Ecclesiastical Commissioners as an addition to the endowment fund of the bishopric a contribution for the purposes of that fund of not less capital value than the amount thereof.

Power to Commissioners to pay bishop's costs of legal proceedings.

4. The costs and expenses incurred by the bishop of any diocese in relation to legal proceedings in any court, taken or defended by the bishop for the correction of offences against morality or the laws ecclesiastical, not being questions of doctrine or ritual, or for the promotion of the efficient discharge by clergy of their ecclesiastical duties, shall be paid by the Ecclesiastical Commissioners out of their common fund: Provided that, before taking or defending any such legal proceedings, the bishop shall have submitted the matter to an official appointed by the Archbishops of Canterbury and York jointly, and shall have obtained his approval in writing of the course proposed to be taken by the bishop, and provided further that the solicitor appointed by the bishop to act on his behalf in the proceedings shall have been first approved for that purpose by the Ecclesiastical Commissioners.

The Ecclesiastical Commissioners with the concurrence of the Archbishops of Canterbury and York may from time to time make regulations as to the procedure in the submission of matters to the official so appointed, and as to information to be furnished to him for the purpose of his examination of any such matter.

Qualification and remuneration of official appointed under preceding section.

5. The official to be appointed by the two archbishops in accordance with the provisions of the last preceding section of this Measure shall be a barrister-at-law who has been in actual practice for not less than ten years, and he shall hold his office subject to the right of the two archbishops to determine his appointment and his remuneration shall be determined by the Ecclesiastical Commissioners with the concurrence of the two archbishops, and shall be paid by the Ecclesiastical Commissioners out of their common fund.

Commissioners to maintain Lambeth Palace.

6. The Ecclesiastical Commissioners shall bear and pay out of their common fund the whole cost of the maintenance in repair in accordance with the law of ecclesiastical dilapidations of the archiepiscopal residence known as Lambeth Palace, with its outbuildings, walls, and appurtenances, and the cost of the insurance of the same against damage by fire in an office approved by the Commissioners and for an amount approved by them, and shall out of the same fund pay all rates (including water rate) and taxes (including property tax) assessed upon and payable by the Archbishop of Canterbury as owner or occupier thereof: Provided that no works of repair of which the cost is so to be borne by the Ecclesiastical Commissioners shall be undertaken or put in hand without the approval of the Commissioners being first obtained, and the Commissioners shall, if they so require, have the control of any such works, and all such works shall be carried out to the satisfaction of themselves or of such competent surveyor as they may appoint.

Power to Commissioners to contribute to repair of other episcopal houses.

7. The Ecclesiastical Commissioners may, out of their common fund, pay such part as they shall in each case determine, of the cost of the maintenance in repair in accordance with the law of ecclesiastical dilapidations of the episcopal houses of residence named in the schedule to this Measure, the part of the cost so to be borne by the Commissioners in any case (whether a proportionate part of the whole cost of repairs or the whole cost of certain classes of repairs or of repairs to specific portions of the houses respectively) being determined by the Commissioners after survey made on their behalf and due consideration by them of the extent to which the bishops liability for repairs is increased by reason of the antiquity of the house or portions thereof, by the necessity of maintenance of features of historical or architectural interest, or by the character of the structure or any other circumstances rendering the cost of maintenance in repair abnormally high, and in respect of all episcopal residences (whether named in the schedule or not) the Ecclesiastical Commissioners may, out of their common fund, pay or contribute towards the payment of expenditure from time to time required upon repairs of an exceptional character.

No works of repair, the cost or any part of the cost of which is to be borne by the Ecclesiastical Commissioners shall be undertaken or put in hand without their consent being first obtained; and the Commissioners shall, if they so require, have the control of any such works, and all such works shall be carried out to the satisfaction of the

Commissioners or of such competent surveyor as the Commissioners may appoint.

Operation of Measure postponed.

8. The provisions of this Measure, or any one or more of those provisions, shall come into operation upon the publication in the "London Gazette" of an instrument under the seal of the Ecclesiastical Commissioners certifying that they are satisfied that the additional burdens imposed, or likely to be imposed, upon their common fund under the provisions of this Measure or, as the case may be, under such one or more of those provisions, may be undertaken by the Commissioners without any probability of the completion of their scheme for the augmentation of benefices as set out in Part III. of the Commissioners' current regulations relating to certain grants out of their common fund being endangered and without interfering with their ability to provide the full sum (if so much be required) of five hundred thousand pounds, the provision of which is authorised by section forty-four of the Ecclesiastical Dilapidations Measure, 1923, and to provide such capital and annual sums as they may be willing to provide for the purpose of a general pensions scheme for the clergy to be established by Measure of the Church Assembly.*

Powers of Commissioners until reconstitution to be exercised only with consent of Church Assembly.

9. In the event of a certificate as mentioned in the last preceding section being given by the Ecclesiastical Commissioners before the reconstruction of the constitution of the Ecclesiastical Commission, which is recommended in the Report of the Commission of Enquiry into the Property and Revenues of the Church, has been effected, the powers given to the Ecclesiastical Commissioners and the obligations imposed upon them by this Measure shall, until such reconstruction has been effected, be exercised and become effectual only with the consent of the Church Assembly declared by resolution of the Assembly.†

Short title.

10. This Measure may be cited as the Ecclesiastical Commissioners Measure, 1926.

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* The Commissioners' certificate under section 8 was published in the "London Gazette" of 12th November, 1926, at p. 7334.

† The Church Assembly declared its consent under section 9 by resolution passed on 15th November, 1926.

THE SCHEDULE.

The Palace, Ely	of the Bishopric of Ely.
Hartlebury Castle	,, ,, ,, ,, Worcester.
The Palace, Chichester	,, ,, ,, ,, Chichester.
The Palace, Wells	,, ,, ,, ,, Bath & Wells.
The Palace, Hereford	,, ,, ,, ,, Hereford.
Rose Castle, Carlisle	,, ,, ,, ,, Carlisle.
The Palace, Norwich	,, ,, ,, ,, Norwich.
The Palace, Salisbury	,, ,, ,, ,, Salisbury.
Fulham Palace	,, ,, ,, ,, London.
Auckland Castle	,, ,, ,, ,, Durham.
Bishopthorpe	,, ,, Archbishopric of York.
The Old Palace, Lincoln	,, ,, Bishopric of Lincoln.
The Palace, Peterborough	,, ,, ,, ,, Peterborough.
Cuddesdon Palace	,, ,, ,, ,, Oxford.
The Palace, Lichfield	,, ,, ,, ,, Lichfield.
Farnham Castle	,, ,, ,, ,, Winchester or Guildford.
The Palace, Exeter	,, ,, ,, ,, Exeter.

No. 5.

A MEASURE passed by the National Assembly of the Church of England

To provide for the extinguishment or redemption of first fruits and tenths. [15th July 1926.]

Short title.

1. This Measure may be cited as the First Fruits and Tenths Measure, 1926.

Extinguishment of certain first fruits and tenths.

2. As from the appointed day, all first fruits and tenths and sums in lieu of first fruits or tenths payable to Queen Anne's Bounty by an archbishop, bishop, dean, or archdeacon, or by the sub-chanter, custos, vicars choral or minor canons of a cathedral church, or by the holder of a prebend in the patronage of a bishop in right of his see or in the patronage of a dean and chapter, or by the incumbent of a benefice, in respect of their several dignities or preferments, or by the dean and chapter of any cathedral church, or by the Ecclesiastical Commissioners, and also the first fruits and tenths specified in the First Schedule to this Measure, shall cease to be payable: Provided that nothing in this Measure shall affect first fruits (whether secured by bond or not) which have become chargeable in respect of an appointment made before the appointed day, or tenths or annual sums payable in lieu of first fruits or tenths which have fallen due before that day.

Determination of appointed day or days.

3.—(1) The appointed day shall be such day subsequent to the passing of this Measure as the Archbishops of Canterbury and York by writing under their respective hands and archiepiscopal seals shall jointly determine: Provided that the said Archbishops may, if they think fit, determine two appointed days, namely, one day in respect of first fruits and tenths and sums in lieu of first fruits and tenths payable by an archbishop or by a bishop, and the other in respect of the remainder of the first fruits and tenths and sums in lieu of first fruits or tenths mentioned in section two of this Measure.

(2) The determination of the appointed day or days under this section shall be notified by advertisement in the "London Gazette."*

Annexation or suppression of sinecure rectories or prebends.

4. If after the appointed day a sinecure rectory or a prebend not discharged from first fruits or tenths by virtue of this Measure shall be permanently annexed to a benefice, or to an office or dignity, which by this Measure or otherwise is discharged from the payment of first fruits or tenths, or shall be suppressed, the same rectory or prebend and the possessions thereof shall as from the date of annexation or suppression be absolutely discharged from the payment of first fruits or tenths to Queen Anne's Bounty.

Redemption of first fruits and tenths not extinguished by the Measure.

5. It shall be lawful for Queen Anne's Bounty to accept such sum as they may determine for the redemption of any first fruits or tenths not extinguished by virtue of this Measure, and on payment to the Treasurer of Queen Anne's Bounty of the sum so determined he shall certify that the first fruits or tenths have been redeemed, and that certificate shall be final and conclusive.

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* The appointed day thus determined was 16th July, 1926 (for all purposes): *see* "London Gazette," 7th September, 1926, at p. 5887.

6. As from the appointed day, or, if two appointed days are determined under section three of this Measure, as from the last in order of date of such appointed days, the Acts mentioned in the Second Schedule to this Measure shall be repealed to the extent appearing in the third column of the Second Schedule: Provided that as regards any first fruits or tenths not extinguished by virtue of this Measure such repeal shall not affect any right of Queen Anne's Bounty, or of any other corporation or person, to such first fruits or tenths, or to any remedy or proceeding in respect thereof, or prevent any such Act from being put in force for the collection or recovery thereof, or otherwise in relation thereto. **Repeal.**

SCHEDULES.

FIRST SCHEDULE.

All first fruits and tenths payable by the Vice-Chancellor of the University of Cambridge.

All first fruits and tenths payable by the Chancellor, Masters and Scholars of the University of Cambridge under the provisions of the Somersham Rectory Act, 1882.

All first fruits and tenths payable in respect of the Rectory of Terrington in the county of Norfolk by the Lady Margaret's Professor of Divinity in the said University of Cambridge.

SECOND SCHEDULE.

Enactments Repealed.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
26 Hen. 8. c. 3	An Act the title of which begins with the words "An Acte concerninge the paiment of Firste Fruites" and ends with the words "Kinges Highnes and his heires."	The whole Act.
26 Hen. 8. c. 17.	An Act the title of which begins with the words "An Acte that no fermours" and ends with the words "by the Kinges Highnes."	The whole Act.
27 Hen. 8. c. 8	An Act the title of which begins with the words "An Acte for discharg of payment" and ends with the words "there furst frutes."	The whole Act.
2 & 3 Edw. 6. c. 20.	An Acte for the qualyfienge of the Statute of Recusantes.	The whole Act.
7 Edw. 6. c. 4	An Acte that all patentees of Collectourshippes of Tenthes shalbe bounde for their Collections.	The whole Act.
1 Eliz. c. 4 -	An Acte for the Restitution of First Fruites, and Tenthes and Rentes reserved Nomine Decime, and of Parsonages Impropriate, to Thimperiall Crowne of this Realme.	Sections five to eight inclusive and sections ten and thirteen.
2 & 3 Anne c. 20.	An Act the title of which begins with the words "An Act for the makeing more effectuall" and ends with the words "for the same purpose."	Sections two, three, and seven.
6 Anne c. 24	The Queen Annes Bounty Act, 1706.	The whole Act.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
6 Anne c. 54 -	The Queen Annes Bounty Act, 1707.	The whole Act.
1 Geo. 1. Stat. 2, c. 10.	The Queen Annes Bounty Act, 1714.	Sections seventeen and eighteen.
3 Geo. 1. c. 10	The Queen Annes Bounty Act, 1716.	The whole Act.
45 Geo. 3. c. 84.	The Queen Annes Bounty Act, 1805.	Section two.
1 & 2 Vict. c. 20.	The Queen Annes Bounty Act, 1838.	Sections two to ten inclusive.
4 & 5 Vict. c. 39.	The Ecclesiastical Commissioners Act, 1841.	Section four.
32 & 33 Vict. c. 111.	The Bishops Resignation Act, 1869.	Section nine.

No. 6.

A MEASURE passed by the National Assembly of the Church of England

To establish a system of Pensions for the Clergy (other than Diocesan Bishops), to provide for the transition from the Incumbents Resignation Acts, 1871 and 1887, to such system, and to effect changes in the constitution and management of the Clergy Pensions Institution.

[4th August 1926.]

PENSIONS.

Scope of Measure.

1.—(1) This Measure shall apply to all—

(*a*) bishops suffragan;

(*b*) assistant bishops, other than bishops who render occasional assistance to diocesan bishops;

(*c*) chaplains of diocesan bishops;

(*d*) deans, canons, prebendaries, and minor canons of cathedral and collegiate churches;

(*e*) archdeacons;

(*f*) incumbents of benefices;

(*g*) stipendiary assistant curates; and

(*h*) other clerks in Holy Orders engaged in rendering continuous and whole time assistance to bishops or incumbents of parishes in the discharge of their duties;

who (i) on the appointed day or at any time thereafter hold office or discharge their functions in the area to which this Measure applies, (ii) have not attained the age of fifty-five years before the appointed day, (iii) hold a benefice, deanery, prebend or canonry or receive a stipend, salary or emolument, the net annual value or the annual amount of which as estimated in manner provided by this Measure for the purpose of assessing contributions hereunder exceeds one hundred pounds, and (iv) have not been granted exemption from the provisions of this Measure.

(2) The pensions authority established by this Measure (herein referred to as the pensions authority) shall have power to apply this Measure to any clerk in Holy Orders whether beneficed or unbeneficed who (i) has attained the age of fifty-five years before the appointed day, (ii) holds or has held preferment or office in the area to which this Measure applies, and (iii) is disabled by age or infirmity for the due performance of the duties of such preferment or office.

(3) The pensions authority shall also have power to apply this Measure to any bishop, priest or deacon engaged on the appointed day or at any time thereafter in ecclesiastical, educational, charitable, or other public work (either in the area to which this Measure applies or outside) by agreement with such bishop, priest, or deacon.

(4) The pensions authority shall have power to grant exemption from the provisions of this Measure to any bishop, priest or deacon who shall (i) have attained the age of forty-two years before the appointed day, (ii) make an application for such exemption in the prescribed

manner, and (iii) prove in the prescribed manner to the satisfaction of the pensions authority that there is secured to him a provision for his maintenance which will be available in the event of his retirement, and which will be at least equal in value to the pension which would become payable to him under this Measure if he were not exempted from the provisions thereof in the event of his retiring after having attained the age of seventy years.

(5) The pensions authority shall, subject to the provisions of this Measure, exercise the power conferred upon them by subsection (2) of this section in such manner as will, so far as is practicable, maintain and continue the system of pensions for clergymen established by the Ecclesiastical Commissioners, and shall in administering the said system of pensions conform, so far as is possible, to the settled practice of the said Commissioners, and to clauses 13 and 14 of the Regulations made by them dated the twenty-fifth day of February, 1915.

Provision of pensions.

2.—(1) Every person to whom this Measure applies by virtue of the provisions of subsection (1) of section one of this Measure (herein referred to as a compulsory contributor) who retires at any time after the appointed day after a qualifying period of pensionable service as hereby defined shall be entitled, subject to the fulfilment by him of the conditions hereby laid down, to receive a pension under this Measure during the remainder of his life.

(2) Every person to whom this Measure is applied by the pensions authority under the power conferred on the said authority by subsection (2) of section one of this Measure (herein referred to as a non-contributing pensioner) shall receive such pension hereunder as, subject to the provisions of this Measure, may be granted to him by the pensions authority.

(3) Every person to whom this Measure is applied by the pensions authority under the power conferred on the said authority by subsection (3) of section one of this Measure (herein referred to as a voluntary contributor) shall receive such pension hereunder as, subject to the provisions of this Measure and of his agreement with the pensions authority, may be payable under such agreement.

Qualifying pensionable service.

3.—(1) For the purposes of this Measure a qualifying period of pensionable service means a period of or a succession of periods either with or without intervals amounting in the whole to not less than fifteen years commencing and terminating at the times required by this section during which a compulsory contributor has within the area to which this Measure applies held such office or discharged such functions as constitute him a compulsory contributor or would have constituted him such a contributor if this Measure had been in force during the whole of such qualifying period.

(2) A qualifying period of pensionable service may commence either before, on or after the appointed day, but must not terminate more than ten years before the date of the retirement of the compulsory contributor concerned.

Retirement.

4. For the purposes of this Measure no bishop, priest or deacon—

(i) shall be deemed to have retired or to be in retirement if and so long as he holds any ecclesiastical office or preferment or curacy, provided that the holding of an honorary canonry or a non-residentiary prebend or a cathedral dignity or office with a stipend not exceeding twenty pounds a year or a curacy with a stipend not exceeding a like amount shall not be deemed the holding of an ecclesiastical office or preferment or curacy;

(ii) who has entered into the receipt or claimed to enter into the receipt of a pension under this Measure upon his being permanently disabled for the performance of his work or duties shall be deemed to have retired or to be in retirement if and so long as he undertakes ecclesiastical duty for remuneration otherwise than with the sanction given expressly for the purposes of this provision of the bishop of the diocese in which the duty is undertaken.

Conditions for the receipt of pensions.

5. Subject in the case of a non-contributing pensioner or a voluntary contributor to the terms and conditions upon which his pension is granted or agreed to be paid by the pensions authority, every recipient of a pension under this Measure (herein referred to as a pensioner) must satisfy the following conditions (that is to say):—

(i) He must continue in retirement;

(ii) He must have attained the age of seventy years or such lesser age as the pensions authority may hereafter appoint, or alternatively have retired before attaining that age by reason of permanent disability for the performance of his work or duties;

(iii) He must not have resigned his pension;

(iv) He must not have executed any deed of relinquishment under the Clerical Disabilities Act, 1870;

33 & 34 Vict. c. 91.

(v) He must continue to be a member of the Church of England, and must not belong to any religious body which is not in communion with the Church of England;

(vi) He must furnish to the pensions authority such evidence as such authority may from time to time require or prescribe of his right to receive his pension;

(vii) He must not be in receipt of any pension as a retired diocesan bishop of any diocese within the area to which this Measure applies;

(viii) He must not under ecclesiastical law or the provisions of any statute or Measure for the time being in force be incapable of holding preferment in the Church;

(ix) He must not have incurred a forfeiture or a suspension of his pension.

Payment and application of pensions.

6.—(1) Subject to any agreement with a voluntary contributor made hereunder, every pension under this Measure shall be by way of annuity accruing from day to day and payable (subject to any necessary apportionment) by equal quarterly instalments on the thirty-first day of March, the thirtieth day of June, the thirtieth day of September, and the thirty-first day of December in each year.

(2) Subject to the provisions of this Measure, a pension under this Measure shall be incapable of being assigned, charged, or anticipated, and every purported assignment of or charge upon the same shall be void,

and the same shall not pass to any trustee in bankruptcy of the pensioner.

(3) A pension under this Measure may in any case where a pensioner becomes of unsound mind, whether so found by inquisition or not, or is disabled by mental or physical incapacity from managing his own affairs, at the discretion of the pensions authority, be paid or applied by or under the direction of such authority to or for the maintenance, benefit or support of any one or more of the following persons (that is to say) :—the pensioner, his wife, his children or remoter issue, their husbands and wives, and any other persons who, in the opinion of the pensions authority, are normally dependent on the pensioner.

(4) Provided that no instalment of a pension shall be paid to a pensioner or applied under the provisions hereof if and so long as there are any arrears of contributions due under this Measure, or any agreement made hereunder from such pensioner to the pensions authority, and the pension of such pensioner shall for such period as may be necessary be retained by the pensions authority and applied in discharging the said arrears, together with interest at the rate of five per cent. per annum, calculated from the respective dates upon which the contributions in arrear were due.

(5) Provided also that in any case where a non-contributing pensioner is in receipt of a pension under the Incumbents Resignation Acts, 1871 and 1887, the pensions authority shall have power to apportion the pension granted to such pensioner under this Measure between the incumbent who has succeeded him and himself, and to divide and pay the pension affected upon the basis of such apportionment.

Rates of pension.

7.—(1) Subject to the provisions of this Measure every pension payable to a pensioner who has been a compulsory contributor shall be paid at the rate applicable to him under the pension table and pension rules contained in the First Schedule to this Measure :

Provided that the pensions authority shall have power to grant to a pensioner who has been a compulsory contributor and who has retired before attaining the age of seventy years by reason of permanent disability for the performance of his work or duties such increase of pension as (i) the amount of any funds applicable for the purpose by reason of the conditions subject to which the same were given or granted will in the opinion of the pensions authority admit of, regard being had to existing and future claims upon the said funds, and (ii) is in the opinion of the pensions authority urgently required in view of the financial circumstances of the pensioner or of his impaired health :

Provided also that in the event of the death of a pensioner who has been a compulsory contributor within twelve months of his entering upon his pension, the pensions authority shall pay to his representative the full pension for one year less any instalment thereof actually received by him.

(2) No pension granted to a non-contributing pensioner shall exceed the annual sum of seventy-five pounds unless, in the opinion of the pensions authority, moneys are available for augmenting such pension under this Measure.

(3) Every pension payable to a pensioner who has been a voluntary contributor shall be paid at such rate as is provided for by his agreement with the pensions authority.

(4) Provided that no agreement shall be made with a voluntary contributor under this Measure providing for the payment to him of a pension at any greater rate than the fund derived from the contributions of voluntary contributors hereunder is adequate to provide upon a proper actuarial basis, but this proviso shall not apply to any compulsory contributor who may become a voluntary contributor with whom an agreement may, if the pensions authority thinks fit, be made providing for the payment to him of a pension at the rate which would have been applicable had he continued to be a compulsory contributor.

PENSIONS AUTHORITY.

Pensions authority.

8. For the purposes of this Measure there shall be established a pensions authority consisting of a chairman nominated by the Church Assembly and twenty-five members nominated as follows (that is to say) :—

Sixteen by the Church Assembly (and so that of such sixteen members not more than nine shall be persons ordinarily resident in the Province of

Canterbury), five by the Ecclesiastical Commissioners, and the remainder in manner provided by the Second Schedule to this Measure.

Incorporation of authority.

9. The pensions authority shall be a body corporate by the name of " The Church of England Pensions Board," and shall have perpetual succession and a common seal, and may hold land for the purposes of their powers and duties without any licence in mortmain.

Tenure of office.

10. The term of office of the chairman and of every member of the pensions authority shall be determined by the body by which he is appointed, and such body shall have power to remove him from office.

Quorum.

11. Seven members of the pensions authority shall constitute a quorum.

Powers and duties.

12. The powers and duties of the pensions authority (which may be exercised and discharged notwithstanding any vacancy in the membership of the authority) shall be—

(*a*) to control and administer the system of pensions hereby established;

(*b*) to enter into agreements for the receipt and payment of actuarial equivalents of any contributions or pensions under this Measure;

(*c*) to make provision for the working expenses of the authority;

(*d*) to borrow money for the purposes of this Measure and to secure the same upon the Clergy Pensions Fund hereby established or any of its assets;

(*e*) subject to the provisions of this Measure, to make standing orders governing and otherwise to regulate the conduct of the business of the authority;

(*f*) to decide questions and appeals under this Measure;

(*g*) to appoint such officers and servants as may be necessary for the purpose of carrying this Measure into effect, and to determine their duties and remuneration;

(*h*) to appoint such committees consisting of members of the authority as the authority may consider desirable, and, subject to the provisions of this

Measure, to delegate to such committees any powers and duties of the authority;

(*i*) to make byelaws for prescribing anything which is to be prescribed under this Measure, and generally for the purpose of carrying this Measure into effect.

13. No byelaw made by the pensions authority under this Measure shall come into force until it has been submitted for approval to and approved by the Church Assembly.

Byelaws.

14. Impressions of the common seal of the pensions authority shall be judicially noticed and admitted in evidence.

Judicial notice of seal.

15. Primâ facie evidence of any byelaw made by the pensions authority and approved by the Church Assembly under this Measure or any decision given by such authority upon the determination of any question or appeal under this Measure may be given by producing a copy of the byelaw or decision sealed with the common seal of the pensions authority.

Proof of byelaw.

PENSION FUNDS.

16.—(1) Subject to the provisions of this Measure the moneys required for pensions payable hereunder for the working expenses of the pensions authority and otherwise for the purpose of carrying this Measure into effect (herein referred to collectively as the purposes of this Measure) shall be derived primarily from contributions made under the provisions hereof and of any agreement made hereunder by persons to whom this Measure applies, and any deficiency shall be made good by the following moneys, investments, and property:—

Sources of pension funds.

(*a*) moneys received by the pensions authority from the Central Board of Finance of the Church of England (herein referred to as the Central Board);

(*b*) capital and other moneys payable to the pensions authority under the provisions of this Measure by the Ecclesiastical Commissioners;

(*c*) any moneys payable, transferable or assignable to the pensions authority by the Clergy Pensions Institution under the provisions of this Measure or otherwise;

(*d*) any grants made to the pensions authority for the purposes of this Measure by the Ecclesiastical Insurance Office, Limited;

(*e*) subject to any conditions imposed by the testators or other donors, testamentary and other gifts and grants made to the pensions authority for the purposes of this Measure; and

(*f*) charges upon the revenues of benefices created under the provisions of this Measure (herein referred to as the transitional provisions) relating to the transition from the Incumbents Resignation Acts, 1871 and 1887, to the system of pensions hereby established.

(2) Provided that pensions payable hereunder to pensioners who have been voluntary contributors (other than voluntary contributors who have entered into such an agreement as is expressly authorised by subsection (4) of section seven of this Measure) shall be payable exclusively out of the contributions made by such pensioners in priority to any other application of such contributions.

(3) Provided also that pensions granted hereunder to non-contributing pensioners shall be payable exclusively out of the capital and other moneys payable under the provisions of this Measure to the pensions authority by the Ecclesiastical Commissioners in priority to any other application of such moneys, but may be augmented out of testamentary and other gifts and grants made to the pensions authority upon the condition of their being applied exclusively or primarily in providing such augmentation together with any surplus of the Clergy Pensions Fund hereby established which, under the provisions of this Measure, may become applicable for the same purpose.

Contributions.

17.—(1) Every compulsory contributor shall be liable to make contributions for the purposes of this Measure (herein referred to as contributions) in accordance with the rules set out in the Third Schedule to this Measure (herein referred to as the contribution rules).

(2) The collection of contributions due from compulsory contributors shall be effected in accordance with the provisions in that behalf of the contribution rules.

(3) Every voluntary contributor shall pay to the pensions authority such contributions as shall be provided for by his agreement with the said authority.

18. The Church Assembly shall make provision for the payment by the Central Board to the pensions authority for the purposes of this Measure out of moneys subject to the disposition of the Church Assembly of an annual sum of not less than fifty thousand pounds.

Grant by the Church Assembly.

19. The Ecclesiastical Commissioners shall, out of their Common Fund, pay or transfer to the pensions authority for the purposes of this Measure—

Grant by the Ecclesiastical Commissioners.

(i) a capital sum of three hundred and fifty thousand pounds or equivalent investments agreed upon between the Ecclesiastical Commissioners and the pensions authority, such sum or equivalent investments to be paid or transferred within one month from the appointed day;

(ii) so long as any annuities granted by the Ecclesiastical Commissioners at any time before the appointed day either in aid of pensions for retired incumbents or in relief of charges imposed on benefices under the Incumbents Resignation Acts, 1871 and 1887, or by way of pension grants for unbeneficed clergymen are still continuing, such sum in each year as shall be equal to the difference between the sum of one hundred thousand pounds and the sum required to meet the said annuities in such year, an apportioned part of such difference being payable in respect of the period between the appointed day and the end of the year containing the appointed day;

(iii) after the cesser of all the said annuities granted by the Ecclesiastical Commissioners the sum of one hundred thousand pounds in each year.

20. Notwithstanding anything in any statute or Measure, the Ecclesiastical Commissioners shall not at any time after the day immediately preceding the appointed day grant any pension out of their Common Fund to any retired incumbent or unbeneficed clergyman or other retired clerk in holy orders, or (except under the provisions of this Measure) make any grant out of their Common Fund in aid of any such pension.

Further pensions not to be granted by the Ecclesiastical Commissioners.

21. The Ecclesiastical Commissioners shall have power to make from time to time to the pensions authority for the purposes of this Measure grants out of their

Further grants by the Ecclesiastical

Commissioners.

Common Fund of such amounts as they may deem expedient, and any such grant may be made either with or without the condition that the same shall be applied by the pensions authority exclusively or primarily in augmenting the pensions of non-contributing pensioners.

Clergy Pensions Institution.

22.—(1) The Clergy Pensions Institution (in this section referred to as 'the Institution') shall continue to be an incorporated company, but as from the commencement of the appointed day—

(i) the persons then members of the Institution shall cease to be members thereof, and they and all past members of the Institution shall be exonerated and discharged from all liability to contribute to the assets of the Institution in the event of the same being wound up;

(ii) the members from time to time of the pensions authority shall be the members of the Institution, and in lieu of any guarantee by the members there shall be contributed to the assets of the Institution out of the Clergy Pensions Fund hereby established, in the event of the Institution being wound up for payment of its debts and liabilities, and of the costs, charges and expenses of the winding up, such amount as may be required not exceeding five thousand pounds;

(iii) the undertaking of the Institution shall be continued but solely for the purpose of fulfilling the engagements and liabilities of the Institution existing on the day immediately preceding the appointed day in accordance with the rules of the several funds of the Institution (in this section referred to as the Rules) as modified by this Measure;

(iv) the directors of the Institution shall vacate office and all powers vested in the directors under the Memorandum and Articles of Association of the Institution, and the Rules shall be vested in and exerciseable by the pensions authority; and

(v) No person shall be admitted as a beneficiary of the Institution.

(2) The engagements and liabilities of the Institution shall be fulfilled in accordance with the following provisions (that is to say):—

(i) any augmentation granted under the Rules to beneficiaries who are beneficiaries but not pensioners on the thirtieth day of June, nineteen hundred and twenty-six, shall be granted upon the footing of the rates of augmentation adopted by the Institution and the conditions governing the grant of augmentation in the year nineteen hundred and twenty-four being applicable to them, but no augmentation shall be granted to any person admitted as a beneficiary between the thirtieth day of June, nineteen hundred and twenty-six, and the appointed day;

(ii) compound interest at the rate of three and one-quarter per cent. per annum shall, as from the commencement of the appointed day, be paid or credited to any beneficiary who is a compulsory contributor upon any contributions to the annuity fund of the Institution in any case where under the Rules compound interest at the rate of two and one-half per cent. would have been paid or credited;

(iii) a beneficiary who is a compulsory contributor shall not be required to pay any further contributions to the annuity fund of the Institution, and any such beneficiary receiving a repayment of contributions or reducing or discontinuing the same shall, notwithstanding such repayment, reduction, or discontinuance, be entitled to receive the same augmentation as he would have received if such repayment, reduction or discontinuance had not been effected;

(iv) The Clergy Pensions Fund established by this Measure shall stand charged in priority to all other liabilities and obligations of the fund by way of guarantee with the payment of all annuities, augmentation and other sums from time to time payable under the rules as modified by this Measure;

(v) as from the commencement of the appointed day interest shall be credited at the rate of three and one-quarter per cent. per annum upon the amount held by the Institution at the disposal of each diocesan committee.

(3) At the expiration of a period of five years from the appointed day, and of every subsequent period of five years, a special consolidated audit and valuation of the assets and liabilities of the Institution and of the Clergy Pensions Fund hereby established respectively shall be held and made by an actuary and the auditor for the time being of the Clergy Pensions Fund, and if, upon such audit and valuation, it shall appear, and if the actuary shall certify, that the assets of the Institution, after providing such reserves as the actuary may think proper, are more than sufficient to discharge the liabilities imposed thereon, so as to render available a surplus of an amount to be specified in the actuary's certificate, such surplus shall be paid and transferred by the Institution to the pensions authority for the purposes of this Measure; but if upon such audit and valuation it shall appear and if the actuary shall certify that the assets of the Clergy Pensions Fund are insufficient to discharge the liabilities imposed thereon under this Measure, including the guarantee created by this section, the actuary shall certify what provisions are necessary to make good the deficiency so as to make effective the guarantee created by this section, and such provisions shall be made and given effect to in accordance with such certificate.

(4) If upon the winding up or dissolution of the Institution there remains after satisfaction of all its debts and liabilities any property whatsoever, the same shall be transferred to the pensions authority for the purposes of this Measure.

(5) A copy of this section shall be embodied in every copy of the memorandum of association of the Institution issued after the appointed day.

(6) Such alterations shall be introduced into the articles of association of the Institution and the rules as will bring the same respectively into conformity with the provisions of this section.

GENERAL.

Determination of questions.

23.—(1) If any question shall arise—

(*a*) as to whether this Measure applies to any bishop, priest, or deacon, or

(*b*) in the case of any bishop, priest, or deacon, to whom this Measure applies—

(i) as to the length of his qualifying period of pensionable service (if any) or the date upon which such qualifying period terminated;

(ii) as to whether he has retired and on what date;

(iii) as to whether he satisfies the conditions laid down for the receipt of a pension under this Measure, or the terms and conditions upon which his pension is granted or agreed to be paid;

(iv) as to the rate at which his pension is to be paid, and whether any deductions are to be made therefrom in respect of arrears of contributions;

(v) as to the correctness of his assessment to contributions or of any estimate of the value of his benefice or of any other estimate or valuation affecting him, made under the contributions rules; or

(vi) as to his right to a repayment of any contributions made by him,

such question shall be decided in manner provided by this section.

(2) Every question to which this section refers shall (except where the question is whether the bishop, priest or deacon concerned is permanently disabled for the performance of his work or duties) be decided by the pensions authority at a meeting specially convened for the purpose of deciding such question.

(3) Any question as to whether a bishop, priest or deacon is permanently disabled for the performance of his work or duties shall be decided by a board of two or more medical referees to be appointed by the pensions authority.

(4) Every decision of a board of medical referees under this section shall be final and conclusive and not subject to appeal to any court, except where the person affected by such decision contends that the same is erroneous in point of law, in which case such person may appeal to the pensions authority, who shall decide any question or questions of law involved at a meeting specially convened for that purpose.

(5) Every decision of the pensions authority under this section shall be given after hearing the bishop, priest or deacon concerned, or his agent.

52 & 53 Vict. c. 49.

(6) The Arbitration Act, 1889, shall not apply to any proceedings under this section.

(7) Any person aggrieved by a decision of the pensions authority under this section may, within such limits of time and in such manner as may be prescribed by Rules of Court, appeal from that decision to the High Court, and the decision of that Court on any such appeal shall be final.

Clergy Pensions Fund.

24.—(1) For the purposes of this Measure there shall be established, under the control and management of the pensions authority, a fund called the Clergy Pensions Fund, to the credit of which all moneys, investments and property derived from the several sources mentioned in section sixteen hereof shall be paid and transferred and out of which all disbursements for the purposes of this Measure shall be made.

(2) All moneys paid into the Clergy Pensions Fund which are derived from contributions by compulsory contributors and voluntary contributors respectively, and any other moneys which under the provisions of this Measure or the conditions of any gift or grant to the pensions authority are applicable exclusively or primarily for a particular purpose or are subject to any charge shall respectively be carried to separate accounts, to which distinct assets and investments shall be allocated.

(3) The Board of Trade shall from time to time appoint an auditor of the Clergy Pensions Fund and fix his remuneration, and such auditor shall hold office so long as the Board of Trade think fit, and shall audit the accounts of the Clergy Pensions Fund at such times, and make reports to the Church Assembly upon the

accounts examined by him in such form, as the Board of Trade may direct.

(4) Any moneys forming part of the Clergy Pensions Fund may be invested in the name of the pensions authority in the purchase by annual premiums of deferred annuities in any life assurance office approved by the pensions authority or in and upon any investments and securities for the time being authorised by law for the investment of trust funds, but so that any investments or securities transferred hereunder by the Ecclesiastical Commissioners or by the Clergy Pensions Institution or received by the pensions authority under any testamentary or other gift or grant, though not falling within this class of investments and securities, may be retained if the pensions authority so determine.

(5) The pensions authority shall present annually to the Church Assembly a report showing the working of the Clergy Pensions Fund, and there shall be a special audit and valuation by an actuary of that Fund once at least in every five years from the appointed day, whereupon a report shall be presented to the Church Assembly.

Application of surplus.

25. If at any time after the expiration of one year from the appointed day it shall appear to the pensions authority after the audit and valuation hereinbefore provided for that the Clergy Pensions Fund is more than sufficient to discharge the liabilities imposed thereon under this Measure, the pensions authority may prescribe the application of the surplus or of any part thereof for all or any of the following purposes:—

(i) The increase of the pensions payable under this Measure to pensioners who have been compulsory contributors or any class of them;

(ii) The reduction of the contributions payable under this Measure by compulsory contributors or any class of them;

(iii) The increase of the pensions payable under agreements made under this Measure to pensioners who have been voluntary contributors or any class of them;

(iv) The augmentation of pensions granted under this Measure to non-contributing pensioners;

(v) Provision for the widows and orphans of persons to whom this Measure applies either by way of pension, terminable annuity, or otherwise;

(vi) The reduction of the age of seventy years laid down by section five of this Measure;

(vii) Any other purpose which in the opinion of the pensions authority is beneficial to the persons to whom this Measure applies.

Ecclesiastical discipline.

26. Every pensioner shall remain subject to ecclesiastical discipline and to the provisions of any statute or measure for the time being in force relating to the discipline of the clergy, and in applying any such statute or measure to a pensioner the following provisions shall have effect (that is to say):—

(i) in any case where a bishop has power to declare a preferment held in his diocese to be vacant on the ground of the criminal conviction of the holder of such preferment or on any other ground, he shall have power on the same grounds to declare the pension of a pensioner to be forfeited;

(ii) in any case where a court has jurisdiction to pronounce on any ground a sentence of deprivation of or suspension from preferment, such court shall have jurisdiction to pronounce upon the same ground a sentence of forfeiture or suspension of a pension under this Measure; and

(iii) a pensioner shall be deemed to hold preferment in any place where he temporarily or permanently resides.

Transition from the Incumbents Resignation Acts, 1871 and 1887.

27.—(1) For the purpose of providing for the transition from the Incumbents Resignation Acts, 1871 and 1887 (in this section referred to as the Resignation Acts), to the system of pensions hereby established, the following provisions shall have effect:—

(i) In any case where a compulsory contributor who was admitted to deacon's orders before the appointed day—

(*a*) is about to retire, and, in the opinion of the pensions authority, is entitled to enter upon the receipt of a pension under this Measure, and (*b*) has held for any period immediately before his retirement a benefice, the annual value of which exceeds, in the opinion of the pensions authority, three hundred and fifty pounds,

the bishop of the diocese in which such benefice is situate, shall, at the request of the pensions authority cause a commission to issue under his hand and seal.

(ii) Such commission shall be constituted as if it were a commission under the Resignation Acts and may exercise the powers of such a commission and, so far as circumstances shall permit, shall proceed in manner laid down by the Resignation Acts, but solely for the purpose of determining the questions which, under the provisions of this section, are to be determined by such commission;

(iii) Every commission under this section shall determine and in their return certify the annual value of the benefice to which the commission relates and also, in any case where—

(*a*) such annual value exceeds five hundred and twenty-five pounds;

(*b*) one-third part of such annual value exceeds the pension under this Measure upon the receipt of which the retiring incumbent concerned is about to enter; and

(*c*) such retiring incumbent is vacating a benefice held by him on the appointed day, and claims before the commission that his pension under this Measure should be augmented,

whether it is in all the circumstances of the case expedient that any and what augmentation not exceeding such an annual sum as together with such pension will be equal to one-third part of such annual value be granted;

(iv) In any case where in the return to a commission under this section it is certified that the annual value of the benefice to which the commission relates exceeds three hundred and fifty pounds, the bishop issuing the commission shall by a declaration made, with the necessary modifications, in the same manner and with the like effects as a declaration by a bishop under the Resignation Acts, charge the revenues of the benefice concerned with the payment to the pensions authority for the purposes of this Measure of an annual sum equal to the least in amount of the following sums (namely) :—

(*a*) the pension under this Measure upon the receipt of which the retiring incumbent is about to enter;

(*b*) one-third part of the annual value of the benefice from which such incumbent is retiring; and

(*c*) the difference between such annual value and three hundred and fifty pounds :

Provided that if it is also certified that in all the circumstances of the case it is expedient that such augmentation as aforesaid be granted the charge to be created by the declaration of the bishop hereunder shall be increased by an annual sum equal to the amount of the augmentation recommended :

(v) A charge in favour of the pensions authority created under the provisions of this section shall, subject to the provisions of this section—

(*a*) have the same incidents as a pension under the Resignation Acts, and accordingly, but without prejudice to any other remedy be recoverable as a debt by the pensions authority, and

(*b*) continue for the same period as the pension under this Measure of the retiring incumbent concerned.

(2) For the purposes of this section the annual value of benefices shall be estimated in manner laid down by the Resignation Acts.

(3) The pensions authority shall give notice to the Ecclesiastical Commissioners and to Queen Anne's Bounty of any charge on the revenues of a benefice created under this section, and the Ecclesiastical Commissioners and

Queen Anne's Bounty respectively shall, in any case where the incumbent of the benefice charged is in receipt of any augmentation grant or other moneys from the said Commissioners or from Queen Anne's Bounty, apply the same so far as the same will extend or are required in satisfying such charge:

Provided that no portion of any augmentation grant or other moneys required to meet contributions under this Measure in accordance with the provisions of the contribution rules shall be applied in satisfying any charge created under this section.

(4) In any case where, under the provisions of this section, a commission has certified that it is expedient that such augmentation as aforesaid be granted, and the charge created hereunder has been increased accordingly the pensions authority shall out of the Clergy Pensions Fund augment the pension under this Measure of the pensioner who has retired from the incumbency of the benefice subject to the increased charge by an annual sum equal to the amount of the increase:

Provided that references in the foregoing subsections of this section to the pension of a pensioner who is granted augmentation hereunder shall be construed as referring to his pension under this Measure apart from any augmentation of the same under this subsection.

(5) In any case where the revenues of a benefice already charged with a pension under the Resignation Acts become subject to a further charge under this section, such further charge shall be suspended until such pension has determined.

(6) The provisions of the Resignation Acts—

(i) relating to the resignation or avoidance of benefices;
(ii) requiring any consent of a patron;
(iii) as to the commencement, cesser, diminution, or variation of pensions;
(iv) as to expenses and costs;

and any other provisions of the said Acts in conflict with the provisions of this section shall not apply to commissions issued and charges upon the revenues of benefices created under this section or to pensioners who have held benefices affected by such charges.

(7) The expenses of commissions under this Measure shall be paid by the pensions authority out of the Clergy Pensions Fund according to a scale to be prescribed by the said authority.

(8) Subject to the provisions of this section no pension shall at any time after the day immediately preceding the appointed day be granted under the Resignation Acts to an incumbent who has not attained the age of fifty-five years before the appointed day.

(9) A pension under the Resignation Acts shall be deemed to be granted on the day on which the incumbency affected becomes void and such pension commences.

Pensions under Deans and Canons Resignation Act, 1872. 35 & 36 Vict. c. 8.

28.—(1) No pension shall at any time after the day immediately preceding the appointed day be granted under the Deans and Canons Resignation Act, 1872, to any dean, canon or minor canon, who has not attained the age of fifty-five years before the appointed day.

(2) A pension under the said Act shall be deemed to be granted on the day of the date of the bishop's certificate certifying the incapacity of the dean, canon or minor canon concerned.

Curate's declaration and licence. 28 & 29 Vict. c. 122.

29.—(1) There shall be added to the stipendiary curate's declaration set out in section three of the Clerical Subscription Act, 1865, at the end of such declaration the words " except in respect of contributions under the Clergy Pensions Measure, 1926."

(2) A bishop shall, upon his specifying in a licence granted by him to a stipendiary curate the amount of the stipend to be paid to the curate, add, in such form as he shall think fit, words to the same effect as the words which are to be added to the stipendiary curate's declaration under this section.

Reciprocal arrangements with other Churches.

30.—(1) The pensions authority may enter into reciprocal arrangements with the authority controlling and administering any pension scheme for providing pensions for the clergy of any church to which this section applies under which—

(i) any bishop, priest or deacon to whom this Measure applies who is ministering or is about to minister in any church to which this section applies, may, if the pensions authority so determine, be transferred to the pension scheme of that church;

(ii) any bishop, priest or deacon to whom this Measure has become applicable who has ministered in any church to which this section applies may in substance retain in such manner and to such extent as the reciprocal arrangements shall provide any right to or expectations of a pension which he may already have acquired.

(2) A bishop, priest or deacon transferred hereunder to the pension scheme of a church to which this section applies shall, as from the date of his transfer, cease to have any right or claim to receive at any time a pension or a return of contributions under this Measure, but so that the pensions authority shall have power to reinstate him in the position of a person to whom this Measure applies upon such terms and conditions as such authority may deem expedient.

(3) The pensions authority may prescribe byelaws for the purpose of carrying into effect the provisions of this section, and such byelaws may provide for the payment out of or into the Clergy Pensions Fund of any moneys payable or receivable under any reciprocal arrangements authorised by this section.

(4) No voluntary contributor shall be transferred under this section to the pension scheme of any church unless he shall consent to such transfer.

(5) This section shall apply to all episcopal churches in communion with the Church of England in which clerks in Holy Orders of the Church of England are admitted to minister.

Returns of contributions.

31.—(1) Subject to the provisions of this section in any case where a compulsory contributor—

(i) retires otherwise than after a qualifying period of pensionable service, or

(ii) dies before entering upon the receipt of a pension under this Measure,

the pensions authority shall repay to him or to his representative out of the Clergy Pensions Fund—

(i) such a sum as shall be equal to the aggregate of all contributions paid by him under this Measure together with compound interest at the rate of two and one-half per cent. per annum with annual rests upon each contribution repaid calculated from the date of the payment thereof, or

(ii) in the case of a compulsory contributor admitted to deacon's orders after the day immediately preceding the appointed day who dies before he has entered upon the receipt of a pension under this Measure, either

(*a*) such a sum as aforesaid, or

(*b*) the sum of two hundred pounds,

whichever shall be the greater.

(2) The benefits conferred by this section shall be incapable of being assigned by any instrument or act inter vivos or of being charged or anticipated, and the same shall not pass to any trustee in bankruptcy of the compulsory contributor entitled to the same.

(3) Any arrears of contributions due from a compulsory contributor entitled to any repayment under this section shall be deducted by the pensions authority from the moneys repaid, together with interest at the rate of five per cent. per annum calculated from the respective dates upon which the contributions in arrear were due.

Determination of age.

32. For the purposes of this Measure a person shall be deemed not to have attained the age of fifty-five years until the commencement of the fifty-fifth anniversary of the day of his birth, and similarly with regard to other ages.

Invitation to parishes to provide contributions.

33. The pensions authority shall send to parochial church councils (or churchwardens where there is no council) a notification of the charges imposed by this measure upon their parochial clergy, and shall invite the diocesan board of finance in every diocese to frame a scheme under which with the co-operation of the parochial church councils of the diocese (or the churchwardens where there is no council) such provision as circumstances admit of may be made either by means of a capital fund or otherwise for exonerating the parochial clergy from the said charges.

Burnley Rectory Act, 1890. 53 & 54 Vict. c. xxiii.

34. Notwithstanding any of the provisions of the Burnley Rectory Act, 1890, the incumbent of the rectory of Burnley shall be under a like liability to pay contributions under this Measure and have the like right to a pension hereunder on retirement as the incumbents of other benefices:

Provided that no charge shall be created on the revenues of the rectory of Burnley under the transitional provisions of this Measure.

Interpretation.

35. In this Measure—

The expression "prescribed" means prescribed by byelaws under this Measure;

The expression "actuary" means a Fellow of the Institute of Actuaries, or of the Faculty of Actuaries in Scotland.

Commencement.

36.—(1) Subject to the provisions of this section this Measure shall come into force on the appointed day.

(2) The appointed day shall be such day subsequent to the day on which this Measure receives the Royal Assent as the Archbishops of Canterbury and York by writing under their respective hands and archiepiscopal seals shall jointly determine.

(3) The determination of the appointed day under this section shall be notified by advertisement in the "London Gazette."*

(4) The provisions of this Measure establishing the pensions authority shall come into force on the passing of this Measure.

Short title.

37. This Measure may be cited as the Clergy Pensions Measure, 1926.

Extent.

38.—(1) Subject to the provisions of this section this Measure shall extend to the whole of the Provinces of Canterbury and York including the Isle of Man but not including the Channel Islands.

(2) The provisions of this Measure relating to non-contributing pensioners and the transitional provisions hereof shall not apply to the Isle of Man.

Repeal.

39. The enactment and measure set out in the Fourth Schedule to this Measure are hereby repealed to the extent mentioned in the third column of that schedule.

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* The day thus appointed was 1st January, 1927; *see* "London Gazette," 30th November, 1926, at p. 7831.

SCHEDULES.

Section 7.

THE FIRST SCHEDULE.

PART I.

Pension Table.

Qualifying period of pensionable service.	Rate of Pension in cases where the pension is entered upon at or above the age of 70.	Example of rate of Pension on retirement by reason of permanent disability under the age of 70.*
	£	£
15 years	34	100
16 ,,	38	102
17 ,,	42	104
18 ,,	46	106
19 ,,	50	108
20 ,,	55	110
21 ,	60	112
22 ,,	65	114
23 ,,	70	116
24 ,,	75	118
25 ,,	80	120
26 ,,	86	122
27 ,,	92	124
28 ,,	98	126
29 ,,	105	128
30 ,,	112	130
31 ,,	120	132
32 ,,	128	134
33 ,,	137	136
34 ,,	146	138
35 ,,	155	140
36 ,,	164	142
37 ,,	173	144
38 ,,	182	146
39 ,,	191	148
40 years (or over)	200	150

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* NOTE :—This rate illustrates the working of Rule 1 of Part II. of this Schedule in the case of pensioners who (i) are admitted to deacon's orders before attaining the age of 30; (ii) continue to render qualifying pensionable service until retirement; and (iii) retire by reason of permanent disability under the age of 70.

Part II.

Pension Rules.

1. The rate of pension of a pensioner who has retired by reason of permanent disability under the age of 70 shall be ascertained by dividing by two the pension which such pensioner would have entered upon had he continued to render qualifying pensionable service until attaining the age of 70 and had then retired, and by adding until a maximum rate of £150 is reached £2 for each complete year of the excess of his qualifying period of pensionable service over 15 years.

2. The pensions of deans and canons (not being minor canons) of cathedral and collegiate churches, appointed before the appointed day, to whom the Deans and Canons Resignation Act, 1872, would, if this Measure had not been passed, have applied, shall be paid at the fixed rates of four hundred and fifty pounds per annum in the case of a dean, and three hundred pounds per annum in the case of a canon, and the Pension Table contained in Part I. of this Schedule, and Rule 1 of these Rules shall not apply to them.

THE SECOND SCHEDULE.

Section 8.

1. Four members of the pensions authority shall, subject to the provisions of this Schedule, be nominated by the Church Assembly from among the beneficiaries of the Clergy Pensions Institution.

2. Of such four members one to be selected by the Church Assembly shall vacate office when and so soon as the total number of the beneficiaries of the Institution in existence on the appointed day is reduced by reason of death or otherwise by two thousand.

3. A second and third of such four members selected as aforesaid shall respectively vacate office when and so soon as the said total number of the said beneficiaries is reduced in manner aforesaid by four thousand and six thousand inclusive in each case of the previous reductions.

4. The remaining of such four members shall vacate office when, and so soon as, the total number of the said beneficiaries does not exceed five hundred.

5. The place of any member of the pensions authority vacating office under the provisions of this Schedule shall be filled upon the nomination of the Church Assembly, both in respect of the vacancy provided for by this Schedule and of every subsequent vacancy.

Section 17.

THE THIRD SCHEDULE.

Contribution Rules.

1.—(*a*) Subject to the provisions of this Schedule every compulsory contributor (in this Schedule referred to as a contributor) shall pay contributions half-yearly at the rate applicable to him under the following table :—

Contribution Table.

Amount of Assessable Clerical Income.	Amount of half-yearly Contribution.		
	£	*s.*	*d.*
Exceeding 100*l*. but not exceeding 125*l*.	1	17	6
,, 125*l*. ,, ,, 150*l*.	2	5	0
,, 150*l*. ,, ,, 175*l*.	2	12	6
,, 175*l*. ,, ,, 200*l*.	3	0	0
,, 200*l*. ,, ,, 225*l*.	3	7	6
,, 225*l*. ,, ,, 250*l*.	3	15	0
,, 250*l*. ,, ,, 275*l*.	4	2	6
,, 275*l*. ,, ,, 300*l*.	4	10	0
,, 300*l*. ,, ,, 325*l*.	4	17	6
,, 325*l*. ,, ,, 350*l*.	5	5	0
,, 350*l*. ,, ,, 375*l*.	5	12	6
,, 375*l*. ,, ,, 400*l*.	6	0	0
,, 400*l*. ,, ,, 425*l*.	6	7	6
,, 425*l*. ,, ,, 450*l*.	6	15	0
,, 450*l*. ,, ,, 475*l*.	7	2	6
,, 475*l*. ,, ,, 500*l*.	7	10	0
,, 500*l*. ,, ,, 525*l*.	7	17	6
,, 525*l*. ,, ,, 550*l*.	8	5	0
,, 550*l*. ,, ,, 575*l*.	8	12	6
,, 575*l*. ,, ,, 600*l*.	9	0	0
,, 600*l*. ,, ,, 625*l*.	9	7	6
,, 625*l*. ,, ,, 650*l*.	9	15	0
,, 650*l*. ,, ,, 675*l*.	10	2	6
,, 675*l*. ,, ,, 700*l*.	10	10	0

(*b*) Where the assessable clerical income exceeds 700*l*. the amount of the half-yearly contribution payable shall be ascertained by adding to 10*l*. 10*s*. seven shillings and sixpence, with a further increase of seven shillings and sixpence for each complete 25*l*. of income in excess of 700*l*.

(*c*) Provided that a contributor who has attained the age of 70 years and has not retired, but whose qualifying period of pensionable service, if and when he retires, will be not less than 40 years, shall be exempt from the payment of contributions.

2. For the purposes of Rule 1 assessable clerical income means the net annual value of any benefice, deanery, prebend or canonry held by the contributor, together with the net annual value of his parsonage house or house of residence (if any), or the annual amount of the stipend, salary or emolument received by him in respect of the office or function by virtue whereof this Measure applies to him, and so that such annual values and other sources of income shall be aggregated in any case where more than one preferment is held by a contributor, or where this Measure applies to a contributor in more than one capacity.

3. Subject to the provisions of these rules the net annual values of benefices, deaneries, prebends, and canonries, and of parsonage houses and houses of residence, and the amount of any stipend, salary or emolument shall be estimated by the pensions authority :—

(i) in the case of benefices according to the Returns of parochial statistics made to the Church Assembly, and so that in the case of any estimate made within one year from the appointed day the Returns for the year nineteen hundred and twenty-five shall be adopted, and in the case of any other estimate the Returns for the calendar year preceding the calendar year in which the estimate is made;

(ii) in the case of a parsonage house or house of residence according to the annual value thereof for the purpose of the enactments relating to income tax, but subject to the deduction of the sum (if any) by which such annual value exceeds one-eighth of the net annual value of the benefice, deanery, prebend or canonry to which such parsonage house or house of residence belongs estimated in manner laid down by this rule;

(iii) in the case of stipends paid to stipendiary assistant curates according to the stipends assigned to them by their respective licences;

(iv) in any other case (including any case where the said Returns or the said licences do not, in the opinion of the pensions authority, afford proper evidence for an estimate) in such manner as the pensions authority may think sufficient;

and the pensions authority shall assess contributors to contributions according to such estimates:

Provided that any pension under the Incumbents Resignation Acts, 1871 and 1887, or the Deans and Canons Resignation Act, 1872, and any charge created under the transitional provisions of this Measure, shall be allowed as a deduction in estimating the net annual value of benefices, deaneries, and canonries under these rules.

4. It shall be the duty of every bishop, priest and deacon to answer in writing any question addressed to him by the pensions authority for the purpose of obtaining evidence upon which to found an estimate or assessment under these rules, and to furnish the pensions authority with such information and such documents as such authority shall reasonably require for the same purposes.

5. Assessments under these rules shall be communicated to the Ecclesiastical Commissioners, and it shall be the duty of the Ecclesiastical Commissioners in any case where either—

(*a*) an assessed contributor is in receipt of any augmentation grant or other moneys from the Ecclesiastical Commissioners; or

(*b*) an assessed contributor is paid the stipend, salary or emolument upon which he is assessed by a person in receipt of any augmentation grant or other moneys from the Ecclesiastical Commissioners;

to deduct the assessed contribution from the next payment made by them in respect of such augmentation grant or other moneys and to pay the same to the pensions authority.

6. Alternatively, collection of contributions assessed under these rules may, where circumstances admit and the pensions authority deem it expedient, be effected through Queen Anne's Bounty, and in any such case the last preceding rule shall *mutatis mutandis* apply to such collection.

7. In any case where any contribution is deducted and paid to the pensions authority by the Ecclesiastical Commissioners or by Queen Anne's Bounty under these rules, such deduction and payment shall discharge—

(*a*) the contributor assessed to such contribution from his liability in respect thereof;

(*b*) the Ecclesiastical Commissioners or Queen Anne's Bounty, as the case may be, from all liabilities and duties arising otherwise than under these rules in respect of so much of the augmentation grant or other moneys as is deducted;

(*c*) any person liable to pay a stipend, salary or emolument in respect of which the contribution is assessed from such part of the instalment or payment in respect thereof payable next after the deduction has been made as is equal to the deducted contribution.

8. In any case where an assessed contribution is not collected by deduction under these rules, it shall be paid to the pensions authority at their principal office by the assessed contributor except where he is assessed in respect of a stipend, salary or emolument paid to him by the incumbent of a benefice, in which case the payment shall be made by such incumbent, who shall by virtue of such payment be discharged from so much of the instalment of, or payment in respect of, such stipend, salary or emolument payable next after the payment by him of the contribution as is equal to the amount of the contribution :

Provided that a contributor assessed in respect of a stipend, salary, or emolument paid to him by the incumbent of a benefice shall, where the pensions authority so direct, pay his contributions, or any of them, directly to the said authority at their principal office.

9. The sending by post by the pensions authority to an assessed contributor or such an incumbent as is mentioned in the last preceding rule of a written demand for the payment of an assessed contribution stating the amount thereof and addressed to the contributor or incumbent at his last known place of residence shall be primâ facie evidence that a contribution of the amount mentioned in the demand is due and owing from or payable by the contributor or the incumbent as the case may be.

10. All moneys due from a contributor or from an incumbent of a benefice liable for the payment of contributions under these rules shall be a debt due to, and recoverable by, the pensions authority from such contributor or incumbent.

11. Contributions shall be payable under these rules on the appointed day, upon such day as shall be later in date by six months and upon every anniversary of such days respectively and upon the basis of the value (as computed under these rules) of the benefice, deanery, canonry or prebend held or house of residence or parsonage house occupied or the amount of stipend, salary or emolument in course of receipt on the appointed day, the day six months later in date or the anniversary of either of such days as the case may be without any apportionment for broken periods of less than six months, and so that no contribution shall be payable in respect of a clerical income received for, or in respect of a period which does not include the appointed day the day six months later in date or some anniversary of one of those days.

12. The pensions authority shall have power to prescribe byelaws providing for a valuation (either general or partial) of benefices for the purposes of these rules being made at such time or times and according to such principles as such authority may think fit.

Section 39.

THE FOURTH SCHEDULE.

Enactment and Measure Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
35 Vict., c. 8 -	The Deans and Canons Resignation Act, 1872.	The whole, except in respect of persons who have attained the age of fifty-five years before the appointed day.
11 & 12 Geo. V., No. 2.	The Ecclesiastical Commissioners Measure, 1921.	The whole Measure.

No. 7.

A MEASURE passed by the National Assembly of the Church of England

To provide for Bishops' Pensions.

[15th December 1926.]

Scope of Measure.

1. This Measure shall apply to the bishop of every diocesan bishopric in England, whether created before or after the passing of this Measure, except the bishopric of Sodor and Man.

Bishops to receive pensions from Ecclesiastical Commissioners. 32 & 33 Vict. c. 111.

2. Every bishop to whom this Measure applies who—

(*a*) with or without proceedings under the Bishops' Resignation Act, 1869, resigns his bishopric on or after attaining the age of seventy years, or

(*b*) under the provisions of the Bishops' Resignation Act, 1869, resigns his bishopric before attaining the age of seventy years

shall be entitled to receive from the Ecclesiastical Commissioners as from the date upon which his resignation of his bishopric becomes effectual, and for so long as he shall live, an annual sum by way of pension of an amount determined in accordance with the next following section of this Measure, and such annual sum shall be paid by the Ecclesiastical Commissioners out of their Common Fund in four equal quarterly payments on the First February, First May, First August and First November in each year, subject to apportionment in the case of resignation or death occurring on any other day than one of the said quarterly days of payment.

Amount of pensions.

3. The amount of the annual sum so payable by way of pension shall be, in the case of the Archbishop of Canterbury or the Archbishop of York, fifteen hundred pounds; in the case of the Bishop of London, the Bishop of Durham, or the Bishop of Winchester, on any resignation of the Bishopric of Winchester before the alienation of any portion of the income of that bishopric to the endowment fund of the Bishopric of Portsmouth or the Bishopric of Guildford, one thousand pounds; and in the case of the Bishop of Winchester on any resignation of that bishopric after the alienation of any portion of its income to the endowment fund of the Bishopric of Portsmouth or the Bishopric of Guildford, or of any bishop other than those hereinbefore mentioned, eight hundred pounds.

Annual contributions from bishops.

4. Every bishop shall pay to the Ecclesiastical Commissioners, for the benefit of their Common Fund, an annual sum of the amount of three pounds ten shillings in respect of every one hundred pounds (and so in proportion in respect of any less amount than one hundred pounds) of a portion determined as follows of the income of his bishopric, that is to say, in the case of the archbishoprics of Canterbury and York, and the bishoprics of London, Durham and Winchester the portion shall be one-third of the income of the bishopric, and in the case of all other bishoprics the portion shall be one-half of the income of the bishopric, or if that income be less than three thousand pounds, then the portion shall be the amount by which the income of the bishopric exceeds fifteen hundred pounds. The annual sum shall be payable in two equal half-yearly payments on the First January and First July in every year in respect of the year ending on the following thirty-first December.

In the case of any bishopric subject to a charge for a pension to a retired bishop created under the Bishops'

Resignation Act, 1869, before the coming into operation of this Measure, the annual sum payable in respect of that bishopric shall be reduced by three pounds ten shillings in respect of every one hundred pounds of the charge, and so in proportion in respect of any less amount, so long as the charge continues.

Time for commencement of the Measure.

5. The provisions of this Measure shall come into operation upon the later of the two dates hereinafter mentioned, (*a*) that is to say :

(1) the date of the publication in the "London Gazette" of an instrument under the seal of the Ecclesiastical Commissioners certifying that they are satisfied that the additional burdens imposed or likely to be imposed upon their Common Fund under the provisions of this Measure may be undertaken by the Commissioners without any probability of the completion of their scheme for the augmentation of benefices as set out in Part III. of the Commissioners' current Regulations relating to certain grants out of their Common Fund being endangered, and without interfering with their ability to provide the full sum (if so much be required) of five hundred thousand pounds, the provision of which is authorised by section forty-four of the Ecclesiastical Dilapidations Measure, 1923, and to provide such capital and annual sums as they may be willing to provide for the purpose of a general Pensions Scheme for the clergy to be established by Measure of the Church Assembly; and

(2) the date appointed by the Archbishops under the First Fruits and Tenths Measure, 1926, for the first fruits and tenths and sums in lieu of first fruits and tenths payable by bishops to cease to be payable.

Repeal.

6. The Acts specified in the Schedule to this Measure are hereby repealed to the extent therein set forth, and except as they affect the diocese of Sodor and Man.

Interpretation.

7. In this Measure :—

The expression "bishop" includes an archbishop.

(*a*) 20th January, 1927: *see* "London Gazette," 25th January, 1927, p. 518.

The expression "bishopric" includes an archbishopric.

The expression "income" in relation to a bishopric does not include the annual value of any premises occupied by virtue of the office.

Short title.

8. This Measure may be cited as the Episcopal Pensions Measure, 1926.

THE SCHEDULE.

32 & 33 Vict., c. 111.—The Bishops' Resignation Act, 1869, section 2 (from "with the exceptions following" to "archbishop or bishop" at the end of the paragraph numbered (3) in that section).

38 & 39 Vict., c. 34.—The Bishopric of St. Albans Act, 1875, section 14.

No. 8.

A MEASURE passed by the National Assembly of the Church of England

To consolidate and amend the law relating to the due performance of the Ecclesiastical Duties of Benefices, and to make provision for the Stipends of Curates appointed under the Measure and in certain other cases.

[15th December 1926.]

PART I.

ECCLESIASTICAL DUTIES OF BENEFICES.

Provisions for securing due performance of ecclesiastical duties of benefices.

1. In any case where the ecclesiastical duties of a benefice are inadequately performed either by reason of the negligence of the incumbent or without negligence on his part, provision may be made under this Part of this Measure for the due performance of such duties.

Ecclesiastical duties.

2. For the purposes of this Measure—

(*a*) the expression "ecclesiastical duties" shall include (but subject to the express provisions of subsection (4) of section three of this

Measure) the observance of the several promises made by every clerk in Holy Orders upon his ordination as a deacon and as a priest, and shall also include, when used with reference to a benefice,

(i) all duties which the incumbent is bound by law to perform,

(ii) the duties imposed upon the incumbent by the Rules for the Representation of the Laity, and

(iii) an obligation binding the incumbent to manifest in his acts, conduct and course of life, due respect for his sacred office, and a due solicitude for the moral and spiritual welfare of his parishioners;

(*b*) the expression "negligence" when used with reference to an incumbent of a benefice includes wilful default in the performance of the ecclesiastical duties of his benefice;

but no incumbent shall be deemed to have been negligent in the observance or performance of any of his ordination promises or the duties imposed upon him by the Rules for the Representation of the Laity unless such observance or performance has been required of him in writing by the bishop, who shall give him opportunity of replying, before issuing any commission under the provisions of section three of this Measure.

Power of the bishop to appoint a commission.

3.—(1) The bishop of a diocese shall have power, in any case where he has reason to think that the ecclesiastical duties of any benefice in his diocese are inadequately performed, to appoint a commission under this Measure to inquire into the facts of the case.

(2) Every commission under this Measure shall be constituted in manner laid down by the First Schedule hereto.

(3) No commission shall be appointed under this Measure unless the bishop appointing the same has given to the incumbent affected one month's notice of his intention to make the appointment.

(4) No commission shall be appointed under this Measure to inquire into, and no commission under this

Measure shall inquire into, any question of doctrine or ritual.

Report of commission to bishop.

4.—(1) Every commission under this Measure shall inquire into the facts of the case in respect of which the inquiry is ordered, and shall report thereon to the bishop of the diocese in which the benefice concerned is situate.

(2) Every report of a commission under this Measure shall state whether the ecclesiastical duties of the benefice to which the inquiry relates are inadequately performed or not; and, if the question arises, whether the inadequate performance of the said duties is or is not due to the negligence of the incumbent of the said benefice.

(3) A copy of every report shall be supplied simultaneously to the bishop and to the incumbent concerned.

(4) If the commissioners are divided in opinion upon any question upon which the commission is hereby required to report to the bishop, the opinion of the majority shall prevail, but in the case of an equality of votes upon any question, such question shall be deemed to be determined in favour of the incumbent concerned.

Powers of the bishop.

5.—(1) The bishop of the diocese in which any benefice to which a report of a commission under this Measure relates is situate shall have the following powers in respect of the benefice (that is to say):—

(i) if the report states that the ecclesiastical duties of the benefice are inadequately performed but that this is not due to the negligence of the incumbent,

(*a*) power by writing under his hand stating the grounds of his requisition to require the incumbent, although actually resident or engaged in performing the duties of the benefice, to nominate to him a curate or curates with a stipend or stipends at the rates laid down by this Measure, to be licensed by him to perform or to assist in performing those duties; and

(*b*) power also, if the incumbent neglects or omits to make such nomination for the space of three months after such requisition to appoint and license a curate or curates with a stipend or stipends at the rates laid down by this Measure, to perform or to assist in performing those duties;

(ii) if the report states that the ecclesiastical duties of the benefice are inadequately performed and that this is due to the negligence of the incumbent,

(*a*) power to appoint and license a curate or curates with a stipend or stipends at the rates laid down by this Measure, to perform or to assist in performing the said duties; and

(*b*) power also to inhibit the incumbent from performing all or any of those duties.

(2) The powers of requiring the appointment of and of appointing a curate or curates conferred on the bishop by this section—

(i) may be exercised from time to time in case of any vacation by a curate of his curacy;

(ii) shall not be exercised in such manner that more than three curates shall be licensed to perform or assist in performing the duties of any benefice.

(3) The bishop shall cause a copy of every requisition made and inhibition issued by him under this section and of the report of the commission on which the same are founded to be forthwith filed in the diocesan registry.

Appeals.

6.—(1) The incumbent of a benefice in respect of which the bishop has exercised any of the powers conferred on him by this Measure may appeal—

(i) if the report of the commission under this Measure affecting him states that the inadequate performance of the ecclesiastical duties of his benefice was not due to his negligence, to the archbishop of the province in which his benefice is situate who shall finally determine the matter by either approving or revoking the requisition to nominate a curate or curates or confirming or annulling the appointment of a curate or curates as the case may require and as may seem just and proper to the said archbishop; or

(ii) if the said report states that the inadequate performance of the said duties was due to his negligence, to the court constituted under this Measure.

(2) On any appeal to the court constituted under this Measure, the judge shall determine whether the incumbent appealing has or has not been negligent, and whether the ecclesiastical duties of his benefice are inadequately performed or not and the archbishop shall thereupon:—

(i) if the judge finds that the incumbent has not been negligent and that the ecclesiastical duties of his benefice are adequately performed, annul the appointment of a curate or curates, and rescind the inhibition, if any;

(ii) if the judge finds that the incumbent has not been negligent but that the ecclesiastical duties of his benefice are inadequately performed, rescind the inhibition, if any, and decide whether by reason solely of such inadequate performance of ecclesiastical duties a curate or curates should be or have been appointed;

(iii) if the judge finds that the incumbent has been negligent, decide whether by reason thereof a curate or curates should be or have been appointed, and also, whether the incumbent should be or have been inhibited from performing all or any of the duties of his benefice.

(3) On any such appeal the Archbishop shall give judgment, and that judgment shall be final, and may, where necessary, include the rescission of an inhibition or the annulment of the appointment of a curate or curates.

(4) Every appeal under this Measure shall be brought within one month after the requisition to appoint a curate, appointment of a curate by a bishop without previous requisition, or inhibition, appealed against.

Constitution of court.

7.—(1) Subject to the provisions of this section, the court constituted under this Measure (in this section referred to as "the court") shall consist of the archbishop of the province in which the benefice to which the appeal relates is situate and of a judge of the Supreme Court, who shall be nominated by the Lord Chancellor from time to time for the purposes of this Measure.

(2) The court shall be a court of record and shall be held in public.

(3) The legal rules of evidence shall be binding on the court.

(4) The bishop within whose diocese the benefice to which an appeal to the court relates is situate shall be a party to the proceedings upon such appeal.

(5) Notwithstanding any other of the provisions of this Measure any appeal under this Measure from any exercise of any power hereby conferred upon either of them the Archbishops of Canterbury and York as a diocesan bishop shall be as the case may require either to the other of them or to a court consisting of a judge of the Supreme Court and the other of them.

Oaths and evidence.

8. A commission under this Measure and the court constituted hereunder shall respectively have the same powers of administering oaths and of requiring the attendance of witnesses and the production by them of documents and as to the payment and recovery of costs and expenses as are exercisable by the High Court of Justice, and any order for the payment or recovery of costs or expenses shall be enforceable as if it were an order of the Supreme Court:

Provided that any proceedings against any person guilty of contempt of the Commission or of the Court shall be taken before the High Court of Justice in accordance with Rules of the Supreme Court, and in such proceedings the High Court shall exercise, in accordance with such Rules, the same jurisdiction as would have been exercisable if the contempt had been a contempt of the Supreme Court.

Power to make rules.

9.—(1) A rule committee constituted in manner laid down by the Second Schedule hereto may make rules for regulating the procedure on and incident to the hearing and determination of an appeal to the court constituted under this Part of this Measure, the fees payable in respect thereof, and the appointment and duties of officers of the said court, and otherwise for carrying this Part of this Measure into effect.

(2) All fees paid in respect of proceedings before the court constituted under this Measure shall be paid over to the Common Fund of the Ecclesiastical Commissioners, who shall, out of such Common Fund, defray all the expenses of and incidental to the sittings of the said court and the remuneration of its officers, and all expenses which are necessarily incurred in such proceedings:

Provided that no portion of any fund destined for the relief of necessitous incumbents shall be applied to the payment of the aforesaid expenses.

(3) Every rule purporting to be made in pursuance of this section shall forthwith be laid before both Houses of Parliament, and if an address is presented to His Majesty the King by either House within the next twenty days thereafter on which that House has sat praying that any such rule may be annulled, His Majesty in Council may annul the same, without prejudice to the validity of anything done in the meantime in pursuance thereof: but subject as aforesaid, every such rule shall, while unrevoked, be of the same validity as if contained in this Measure.

Consequences of inhibition.

10.—(1) In any case in which an incumbent is inhibited under this Measure from performing all or any of the ecclesiastical duties of his benefice—

(i) he shall not interfere with or control any curate in the performance of any of the said duties;

(ii) any right of patronage vested in him by virtue of his benefice shall while he is so inhibited vest in the patron of his benefice, or, if he be himself the patron, in the archbishop of the province;

(iii) he shall not reside in or occupy any parsonage house belonging to the benefice;
Provided that—
(*a*) he shall not be liable to any penalty or forfeiture for non-residence, and
(*b*) the bishop issuing the inhibition may, for special reasons, permit him to reside in, or occupy, such parsonage house or some part thereof;

(iv) subject to any direction to the contrary given by the bishop issuing the inhibition, he shall not receive any part of the income of his benefice while he remains resident within the parish or other area in which he had as incumbent the cure of souls; and

(v) the bishop issuing the inhibition shall sequester the profits of the benefice, and such profits shall be applied under such sequestration for the purposes for which the same shall for the time being be applicable under the provisions of this Measure or otherwise.

(2) In this section the expression " bishop issuing the inhibition " shall include an Archbishop exercising the powers conferred on him by this Measure.

(3) Subject to the provisions of this Measure, any part of the income of any benefice which the incumbent thereof is under this section disqualified from receiving by reason of his so remaining resident as aforesaid shall be paid to and for the purposes of Queen Anne's Bounty.

Power to determine appointments of curates and inhibitions.

11. The bishop of a diocese shall have power to rescind any appointment of a curate or inhibition under this Measure affecting any benefice within his diocese or the incumbent of such benefice:

Provided that the bishop, in exercising the powers conferred by this section—

(i) shall be satisfied that the incumbent of the benefice concerned is able and willing adequately to discharge the ecclesiastical duties of the said benefice and that the exercise of the said powers will not be prejudicial to the spiritual interests of the parishioners of the said benefice; and

(ii) shall not determine the appointment of any curate hereunder except upon six months' notice.

Avoidance of benefice where inhibition is not rescinded.

12. In any case where an inhibition under this Measure continues undetermined for a period of five years from the date of the issuing thereof, the benefice thereby affected shall at the expiration of that period become void as if the inhibited incumbent were then dead.

Occupation of parsonage house.

13.—(1) A bishop who has appointed a curate under this Measure to perform or to assist in performing the ecclesiastical duties of any benefice, and has also inhibited the incumbent of the benefice from performing those duties or any of them, may require the curate to reside in the parsonage house belonging to the benefice, and if he shall require him so to do may assign to him such parsonage house, together with the offices, gardens and appurtenances thereto belonging or any part or parts thereof, without payment of any rent, and also any portion of glebe land adjacent to the said parsonage house not exceeding four acres at such rent as shall be fixed by the rural dean of the rural deanery in which the benefice is situated and one neighbouring incumbent and approved of by the bishop.

(2) A curate residing in the parsonage house of a benefice under the provisions of this section shall be liable for the repair thereof and for assessments in respect thereof under the Ecclesiastical Dilapidations Measure, 1923, or any Measure amending the same to such extent as the bishop may decide to be reasonable.

(3) The bishop shall have power in any case in which possession of any premises assigned to a curate under the provisions of this section is not given up to him and until such possession shall be given up to direct that the profits of the benefice arising from the sequestration thereof under this Measure be applied subject to the provisions hereof, as if the same arose under a sequestration for non-residence.

(4) A right of residence and any other right vested in a curate under the provisions of this section shall determine upon the determination of his curacy.

PART II.

STIPENDS OF CURATES.

Stipends of curates.

14.—(1) Subject to the provisions of this section every curate who is—

(i) appointed under the provisions of this Measure,
(ii) the curate of a non-resident incumbent, or
(iii) appointed under the provisions of any statute or measure for the time being in force empowering the bishop to appoint a curate
  (*a*) during any period of sequestration under a judgment recovered against or the bankruptcy of an incumbent, or
  (*b*) during the vacancy of a benefice,

shall receive such stipend as may be assigned to him by the bishop of the diocese in which such curate serves:

Provided that the stipend of a curate to whom this section applies shall not exceed a sum equal to three-quarters of the net annual value of the benefice to perform the duties of which the curate is appointed except where the curate is—

(i) appointed under the provisions of this Measure to perform the duties of a benefice which the incumbent of the benefice is inhibited hereunder from performing, or
(ii) appointed during the vacancy of a benefice;

in either of which cases the stipend of the curate may be a sum not exceeding the net annual value of the benefice.

(2) In any case where more than one curate to whom this section applies is appointed to perform the duties of a single benefice, the stipends of the curates so appointed shall for the purposes of this section be treated as if the aggregate thereof were the stipend of a single curate.

(3) Notwithstanding any other of the provisions of this section, the bishop may direct that the whole of the net income of a benefice shall be paid by way of stipend to a curate to whom this section applies for any period during which the incumbent of the benefice being inhibited under this Measure remains resident within the parish or other area in which he had as incumbent the cure of souls.

(4) Every stipend assigned to a curate under this Measure upon the occasion of his appointment shall be specified in the licence granted to him by the bishop.

Net annual value of benefices.

15.—(1) For the purposes of this Measure the net annual value of a benefice shall be ascertained by deducting from the gross amount of the annual value thereof all taxes (other than income or property tax) rates, dues and permanent charges and outgoings, and subject to the provisions of this section all assessments under the Ecclesiastical Dilapidations Measure, 1923, but not any curate's stipend or any such taxes or rates in respect of the parsonage house of the benefice or of the glebe land belonging thereto as are usually paid by tenants or occupiers or any moneys expended in the repair or improvement of or such parts of the said assessments as are attributable to the parsonage house and buildings and premises belonging thereto.

(2) The bishop shall have power in any case where the net annual value of any benefice within his diocese requires to be determined for any of the purposes of this Measure to make, or cause to be made, such inquiries and call for such evidence as he may think fit, and otherwise to proceed upon the best information which he may be able to procure, and the determination of the bishop of such net annual value founded on such evidence or other information shall be final and conclusive for all the purposes of this Measure.

PART III.

GENERAL.

Service of notices.

16. Any requisition or other notice requiring to be sent or given under this Measure shall be deemed to have been duly sent or given if sent through the post in a prepaid registered letter addressed in the case of an incumbent to the parish or place whereof he is incumbent.

Short title.

17. This Measure may be cited as the Benefices (Ecclesiastical Duties) Measure, 1926.

Extent.

18. This Measure shall extend to the whole of the Provinces of Canterbury and York except the Channel Islands and the Isle of Man.

Repeal.

19. The enactments set out in the Third Schedule to this Measure are hereby repealed to the extent mentioned in the third column of that Schedule.

SCHEDULES.

THE FIRST SCHEDULE.

PART I.

CONSTITUTION OF COMMISSIONS.

1. One commissioner shall be either the archdeacon of the archdeaconry or the rural dean of the rural deanery within which the benefice to which the inquiry relates is situate.

2. One other commissioner shall be the dean or a canon, prebendary or honorary canon of the cathedral church of the diocese wherein the said benefice is situate, elected in manner provided by Part II. of this Schedule.

3. One other commissioner shall be the incumbent of a benefice situate within the same archdeaconry as the benefice to which the inquiry relates elected in manner provided by Part II. of this Schedule.

4. Three other commissioners shall be laymen, being persons qualified for membership of the Diocesan Conference of the

diocese, nominated in manner provided by Part II. of this Schedule and being—

(i) as to one of such commissioners a magistrate in the commission of the peace for the county in which the said benefice is situate; and

(ii) as to each of the other two of such commissioners either such magistrate as aforesaid or a barrister-at-law or solicitor of not less than ten years' standing.

5. One other commissioner, being either an incumbent of a benefice in the same diocese as the benefice to which the inquiry relates or a magistrate in the commission of the peace for the county in which the said benefice is situate, and being a person qualified for membership of the Diocesan Conference of the diocese, may be nominated by the incumbent of the said benefice :

Provided that, if the said incumbent shall not within fourteen days after the notice of the appointment of the commission provided for by this Measure nominate such additional commissioner in writing to the bishop, the other commissioners shall proceed alone.

6. No person holding the office of diocesan registrar or secretary to a diocesan bishop shall be qualified to act as a commissioner under this Measure.

7. In this Schedule the expression " county " means any area not being a city or borough which has a separate commission of the peace, and every benefice shall be deemed to be within a county as hereby defined notwithstanding that it is locally situate in a city or borough.

PART II.

ELECTION AND APPOINTMENT OF COMMISSIONERS.

1.—(i) The holders in every cathedral of a cathedral office as hereby defined shall forthwith after the passing of this Measure and at the expiration of every succeeding period of three years, elect one of their body to be a commissioner for the ensuing three years for the purposes of any commission under this Measure to be appointed by the bishop of the diocese to which such cathedral church belongs.

(ii) For the purposes of this provision the expression " cathedral office " shall include only deaneries, canonries, honorary canonries, and prebends.

2. In every archdeaconry the incumbents holding benefices therein shall forthwith after the passing of this Measure and at the expiration of every succeeding period of three years,

elect one of their body to be a commissioner for the ensuing three years for the purposes of any commission under this Measure relating to any benefice within such archdeaconry.

3. Elections of commissioners under the foregoing provisions of this part of the Schedule shall take place at meetings of the electors convened by the dean or archdeacon as the case may be or in any case where circumstances so require in such manner as the bishop of the diocese concerned may direct.

4. Elections of commissioners under the said provisions shall forthwith be certified to the bishop in writing under the seal of the dean and chapter or the hand of the archdeacon as the case may be, or in any case where circumstances so require under the hand of such person as the bishop may appoint, and any such certificate shall be conclusive evidence of the due election of the person therein mentioned.

5. If any casual vacancy shall occur among the commissioners elected under the said provisions, such vacancy shall be filled in the same manner as if it had occurred at the end of the then current triennial period, and the person elected to fill such casual vacancy shall continue in office until the end of the said triennial period.

6. The three commissioners who, under the provisions of this Schedule, are required to be laymen shall be nominated on the requisition of the bishop proposing to appoint the commission by the person who has presided as chairman at the last preceding quarter sessions for the county or division of the county in which the benefice to which the commission relates is situate, or, failing him, by the lord-lieutenant of the said county.

SECOND SCHEDULE.

1. The Rule Committee shall consist of—
   The Lord Chancellor;
   The Lord Chief Justice of England;
   The Dean of the Arches;
   All Archbishops and Bishops who are members of the Privy Council;
   The Judge nominated by the Lord Chancellor under this Measure.

2. Any three members of the Rule Committee, two of them being the Lord Chancellor and one of the aforesaid persons holding judicial office, may exercise all the powers of the Rule Committee.

THIRD SCHEDULE.

Enactments Repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
1 & 2 Vict. c. 106.	Pluralities Act, 1838	In section seventy-five the words "with such salary as is by this "Act allowed and directed." Section seventy-seven (so far as unrepealed). In section eighty-three all words before the words "every licence." Section eighty-five. In section eighty-six all words before the words "where the population" and the passage beginning with the words "and "in all and every of such cases" and ending with the words "consent to a larger stipend." Section eighty-seven. Section eighty-eight. Section eighty-nine. In section ninety-nine the passage beginning with the words "not exceeding" and ending with the words "more than one such curate." In section one hundred the words "not exceeding the respective "stipends allowed by this Act."
34 & 35 Vict. c. 45.	Sequestration Act, 1871.	In section one from "provided always" to the end of the section.
48 & 49 Vict. c. 54.	Pluralities Acts Amendment Act, 1885.	The second paragraph of section two. Sections three, four, five, six, seven, eight. In section nine the passage beginning with the words "not exceeding" and ending with the words "income of such benefice." Section ten.
61 & 62 Vict. c. 48.	Benefices Act, 1898	Section eight. Section nine. In section eleven the words "or "of an appeal against an inhibi"tion or appointment of a "curate." Subsection (3) of section thirteen.

TABLE III.

Showing the Effect of the Legislation of 1926.*

FORMER ACTS (IN CHRONOLOGICAL ORDER) REPEALED OR AMENDED BY ENACTMENTS OF 16 & 17 GEO. 5.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
20 Hen. 3. (*Stat. Merton*). c. 9.	Special Bastardy -	Restricted - - -	60.
26 Hen. 8:			
c. 3 -	First fruits and tenths.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
c. 17 -	First fruits and tenths.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
27 Hen. 8:			
c. 8 -	Payment of tenths to Crown.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
c. 42 (*a*) -	Exemption of universities and colleges from first fruits and tenths.	Virt. repealed as to first fruits and tenths by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
28 Hen. 8. c. 11.	Vacancy of benefice: time for paying first fruits, &c.	Virt. repealed as to first fruits by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
32 Hen. 8. c. 47 (*a*).	Payment of tenths by Bishop of Norwich.	Virt. repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	

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* Enactments annually continued by the Expiring Laws Continuance Act, 1926 (16 & 17 Geo. 5. c. 49) are not included in this table.

(*a*) Not printed in Revised Statutes.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
33 Hen. 8. c. 39.	Crown debts - -	S. 37 virt. repealed as to first fruits and tenths by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
34 & 35 Hen. 8. c. 17 (*a*).	Tenths payable by certain bishops.	Virt. repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
37 Hen. 8. c. 4 (*b*).	Colleges, chantries, &c.	Ss. 13, 16 virt. repealed as to first fruits by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
1 Edw. 6. c. 14 (*b*).	Chantries collegiate	S. 23 virt. repealed (first fruits) by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
2 & 3 Edw. 6. c. 20.	Payment of tenths to Crown.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
3 & 4 Edw. 6. c. 10.	Putting away of Books and Images.	Repealed - - - -	55.
7 Edw. 6. c. 4.	Payment of tenths to Crown.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
1 Eliz.:			
c. 4 -	First fruits and tenths.	Ss. 5–8, 10 and 13 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
c. 24 (*a*) -	Religious Houses, &c.	Repealed except ss. 3, 10, 12, 16, and with saving.	55.
13 Eliz. c. 17 (*a*).	Robert Earl of Leicester's Hospital at Warwick.	Charity Commissioners' Scheme approved.	xxv.
2 & 3 Anne. c. 20.	Queen Anne's Bounty.	Ss. 2, 3 and 7 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
6 Anne:			
c. 24 -	Queen Anne's Bounty Act, 1706.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
c. 41 -	Succession to the Crown Act, 1707.	S. 25 (acceptance of office of profit), as restricted by 9 & 10 Geo. 5, c. 2, further restricted.	19.

(*a*) Not printed in Revised Statutes.
(*b*) Printed in supplement to Revised Statutes (end of Vol. XVI).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
6 Anne :			
c. 54 -	Queen Anne's Bounty Act, 1707.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
1 Geo. 1 Stat. 2 :			
c. 10 -	Queen Anne's Bounty Act, 1714.	Ss. 17, 18 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
c. 50 (*a*).	Estates of Traitors and Popish Recusants or given to Superstitious Uses.	Repealed - - - -	55.
3 Geo. 1. c. 10.	Queen Anne's Bounty Act, 1716.	Repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
4 Geo. 2. c. 25.	Worcester Hop-market.	In part virt. repealed -	xcvii, s. 57.
25 Geo. 2. c. 36.	Disorderly Houses Act, 1751.	S. 8 applied, ss. 2, 3 repealed as to home counties (prosp.).	31, ss. 1, 3 (13), 6, sch. 2.
13 Geo. 3 :			
c. 54 -	Game (Scotland) Act, 1772.	Ss. 4–7 repealed - -	30, s. 4.
c. 82 -	Lying-in Hospitals Act, 1773.	Ss. 1, 2, 4 repealed, provisions as to settlement saved (E.).	32, ss. 13, 14 (2).
31 Geo. 3. c. 32.	Roman Catholic Relief Act, 1791.	Ss. 11, 17 repealed - -	55.
45 Geo. 3. c. 84.	Queen Anne's Bounty Act, 1805.	S. 2 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
49 Geo. 3. c. 42.	Public Records (Scotland) Act, 1809.	Ss. 8 and in part 11 repealed (prosp.).	50, s. 4, sch. 2.
10 Geo. 4 :			
c. 7 -	Roman Catholic Relief Act, 1829.	Ss. 26, 28–36 repealed (except in N.I.).	55, ss. 1, 2, sch.
c. 19 -	Registration of Sasines Act, 1829.	S. 2 repealed (prosp.) -	50, s. 4, sch. 2.
2 & 3 Will. 4 :			
c. 65 -	Parliamentary Franchise (Scotland) Act, 1832.	S. 31 from "and shall proceed as hereinafter directed" virt. repealed on abolition of 2-day poll in Orkney and Zetland.	9, s. 10.

(*a*) Not printed in Revised Statutes.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
2 & 3 Will. 4:			
c. 115	Roman Catholic Charities Act, 1832.	S. 4 repealed	55.
6 & 7 Will. 4:			
c. 37	Bread Act, 1836	Ss. 3, 4, 6, 7 repealed (July 1, 1927).	63, s. 15, sch. 3.
c. 86	Births and Deaths Registration Act, 1836.	S. 5 extended Act ext. to still-births, s. 29 am. (July 1, 1927). Act ext. to re-registration of legitimated persons.	29, s. 11 (8). 48, ss. 7, 8, 13 (4). 60, s. 1 (4), sch.
1 & 2 Vict.:			
c. 20	Queen Anne's Bounty Act, 1838.	Ss. 2–10 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
c. 74	Small Tenements Recovery Act, 1838.	Applied	52, s. 7 (5).
c. 106	Pluralities Act, 1838.	Ss. 77, 85, 87–9 repealed, 75, 83, 86, 99, 100 in part repealed by Benefices (Eccles. Duties) Measure, 1926 (16 & 17 Geo. 5, No. 8).	
3 & 4 Vict. c. 113.	Ecclesiastical Commissioners Act, 1840.	S. 34 amended by Eccles. Commrs. Measure, 1926 (16 & 17 Geo. 5, No. 4, ss. 1, 8).	
4 & 5 Vict. c. 39.	Ecclesiastical Commissioners Act, 1841.	S. 11 amended by Eccles. Commrs. Measure, 1926 (16 & 17 Geo. 5, No. 4, ss. 2, 8). S. 4 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5).	
7 & 8 Vict. c. 92.	Coroners Act, 1844	Ss. 2–4, 21 repealed, orders under s. 4 saved, ss. 5, 19, 20 (as amended) applied (May 1, 1927).	59, ss. 12 (4), 31, 34 (4), sch. 3.
8 & 9 Vict.:			
c. 18	Lands Clauses Consolidation Act, 1845.	S. 82 excluded	52, s. 17 (1).
c. 83	Poor Law (Scotland) Act, 1845.	Ss. 34–45, 49, 51, 88–9 repealed (May 16, 1927).	47, ss. 3 (1), 4 (2), 30, 31 (2), sch. 3.
13 & 14 Vict. c. 41.	Parish of Manchester Division Act, 1850.	Amended by Parish of Manchester, &c. Measure, 1926 (16 & 17 Geo. 5, No. 3).	

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
17 & 18 Vict. c. 91.	Lands Valuation (Scotland) Act, 1854.	Act applied, ss. 12, 18, 41 repealed in part (May 16, 1927).	47, ss. 14, 30, sch. 3.
20 &21 Vict.: c. 26	Registration of Leases (Scotland) Act, 1857.	S. 1 amended (prosp.)	50, s. 4, sch. 2.
c. 71	Lunacy (Scotland) Act, 1857.	S. 88 applied Ss. 54–5 amended (May 16, 1927).	15, s. 3 (3). 47, ss. 8, 30, 31 (2), sch. 3.
21 &22 Vict.: c. 93	Legitimacy Declaration Act, 1858.	Applied as modified by rules of court (E.)	60, ss. 2, 12 (2) (3).
c. 106	Government of India Act, 1858.	S. 4 amended	18, s. 3.
23 &24 Vict.: c. 113	Excise Act, 1860	Ss. 8–20 repealed	22, s. 47, sch. 5, pt. II.
c. 116	County Coroners Act, 1860.	Act, so far as unrepealed, repealed (May 1, 1927).	59, ss. 31, 34 (4), sch. 3.
c. 134	Roman Catholic Charities Act, 1860.	S. 7 repealed	55.
24 & 25 Vict. c. 37.	Poor Law (Scotland) (No 2) Act, 1861.	Superseded (May 16, 1927) so far as unrepealed.	47.
26 & 27 Vict.: c. 69	Officers of Royal Naval Reserve Act, 1863.	Ss. 2, 3 amended	41.
c. 92	Railways Clauses Act, 1863.	Part V. matters applied (inclusion in mines amalgamation schemes).	28, ss. 2 (*c*), 3 (*d*).
27 & 28 Vict. c. 34.	House of Commons (Vacation of Seats) Act, 1864.	S. 1 amended	18, s. 3.
28 & 29 Vict. c. 122.	Clerical Subscription Act, 1865.	S. 3 amended by Clergy Pensions Measure, 1926 (16 & 17 Geo. 5, No. 6, ss. 29, 36).	
29 & 30 Vict. c. 25.	Exchequer Bills and Bonds Act, 1866.	Ss. 3, 6 amended	22, s. 45.
30 & 31 Vict. c. 102.	Representation of the People Act, 1867.	S. 52 and Schedule H. repealed.	19, s. 1 (2), sch.
31 & 32 Vict.: c. 37	Documentary Evidence Act, 1868.	Applied to Commrs. of Works.	36, s. 2 (4).
c. 48	Representation of the People (Scotland) Act, 1868.	S. 51 and Schedule H. repealed.	19.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
31&32 Vict.:			
c. 49	Representation of the People (Ireland) Act, 1868.	S. 11 and Schedule E. repealed.	19.
c. 64	Land Registers (Scotland) Act, 1868.	S. 27 repealed (prosp.)	50, s. 4, sch. 2.
c. 100	Court of Session Act, 1868.	S. 19 repealed	16, s. 7.
c. 101	Titles to Land Consolidation (Scotland) Act, 1868.	Ss. 136 repealed, 141 amended (prosp.).	50, s. 4, sch. 2.
32 & 33 Vict. c. 111.	Bishops' Resignation Act, 1869.	S. 9 repealed by First Fruits and Tenths Measure, 1926 (16 & 17 Geo. 5, No. 5). S. 2 from " with the exceptions following " to end of (3) repealed (prosp.) by Episcopal Pensions Measure, 1926 (16 & 17 Geo. 5, No. 7), except as to Sodor and Man diocese.	
33&34 Vict.:			
c. 18	Metropolitan Poor Amdt. Act, 1870.	Temp. amdt. of s. 1 (3) (by 11 & 12 Geo. 5. c. 67. s. 1) continued.	10.
c. 71	National Debt Act, 1870.	S. 54 (*see* 11 & 12 Geo. 5. c. 32. ss. 49 (1), 51) ext.	22, s. 46 (4).
34&35 Vict.:			
c. 44	Incumbents Resignation Act, 1871.	*See* Clergy Pensions Measure, 16 & 17 Geo. 5, No. 6, ss. 6 (5), 16 (1) (*f*), 19, 24, 36.	
c. 45	Sequestration Act, 1871.	S. 1 from " Provided always " repealed by Benefices (Eccles. Duties) Measure, 1926 (16 & 17 Geo. 5, No. 8).	
c. 63	College Charter Act, 1871.	Applied	46, s. 7 (2).
c. 105	Petroleum Act, 1871.	" Petroleum spirit " substituted for " petroleum " to which this Act applies," s. 3 repealed, ss. 4, 6, 7, 9 in pt. repealed and am., 11–2 ext. (except as to N.I.).	25, ss. 1, 4–7, 11, sch. 4.
35&36 Vict.:			
c. 8	Deans and Canons Resignation Act, 1872.	Repealed (Jan. 1, 1927) (with savings) by Clergy Pensions Measure, 1926 (16 & 17 Geo. 5, No. 6, ss. 28, 36, 39, sch. 1, pt. II. and sch. 4).	

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
35 & 36 Vict.: c. 15	Parks Regulation Act, 1872.	Act extended, s. 2, sch. 2 repealed, ss. 8, 10 am. (Dec. 15, 1926); ss. 4, 9, sch. 1 repealed (Dec. 15, 1927).	36.
c. 33	Ballot Act, 1872	Sched. I, Rule 61, the words "and to the keeping open "of the poll for two con- "secutive days in the case "of Orkney and Shet- "land" virt. repealed.	9, s. 10.
c. 62	Education (Scotland) Act, 1872.	S. 46 am. (May 16, 1927)	47, ss. 6, 30, 31 (2), sch. 3.
c. 77	Metalliferous Mines Act, 1872.	Ss. 14, 19 applied	28, s. 23 (5).
c. 91	Borough Funds Act, 1872.	Act ext., s. 10 excluded	38, s. 3.
36 & 37 Vict. c. 81.	Langbaurgh Coroners Act, 1873.	S. 3, para. 3 repealed	59, ss. 31, 34 (4), sch. 3.
37 & 38 Vict.: c. 20	Rating Exemptions (Scotland) Act, 1874.	S. 1 in part virt. repealed (May 16, 1927).	47, ss. 11, 31 (2).
c. 88	Births and Deaths Registration Act, 1874.	S. 17 and s. 18 from "and shall" to "coroner" repealed, ss. 20, 31, am. (July 1, 1927).	48, ss. 6, 8, 13, sch. 2.
c. 94	Conveyancing (Scotland) Act, 1874.	S. 25 repealed in part (prosp.).	50, s. 4, sch. 2.
38 & 39 Vict.: c. 17	Explosives Act, 1875.	Ss. 37, 55, 63, 65–6 applied as modified.	25, s. 9, sch. 3.
c. 21	Public Entertainments Act, 1875.	Repealed (prosp.) as to home counties.	31, ss. 1, 6, sch. 2.
c. 34	Bishopric of St. Albans Act, 1875.	S. 14 repealed (prosp.) by Episcopal Pensions Measure, 1926 (16 & 17 Geo. 5, No. 7).	
c. 45	Sinking Fund Act, 1875.	Ss. 4 and 5 extended	22, s. 44.
c. 55	Public Health Act, 1875.	Temp. suspension of s. 234 (3) by 11 & 12 Geo. 5. c. 67. s. 6 (2) continued.	10.
		Ss. 182–6 applied (maternity homes byelaws).	32, s. 8.
		Ss. 91–2, 96, 102, 334 am., 182–6 applied, 157 extended (July 1, 1927).	43, ss. 1 (1), 2 (3), 3, 5–7, 12 (1) (4).
c. 63	Sale of Food and Drugs Act, 1875.	S. 25 incorporated	63, ss. 12 (4) 15

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
38&39 Vict.: c. 83	Local Loans Act, 1875.	Made applicable by regs.	51, s. 28 (3).
39 & 40 Vict. c. 36.	Customs Consolidation Act, 1876.	Extended	53, s. 13 (6).
40 & 41 Vict.: c. 2	Treasury Bills Act, 1877.	S. 8 (1) amended S. 6 excluded	22, s. 45. 23, s. 2 (2) and 33, s. 2 (2).
c. 53	Prisons (Scotland) Act, 1877.	Rule-making power extended. S. 62 am. (May 16, 1927) Ss. 30 am., 40 excluded	15, s. 9 (3) (5). 47, ss. 8, 31 (2). 57, ss. 1, 2.
c. 57	Supreme Court of Judicature (Ireland), 1877.	Ss. 18–9 am. (Northern Ireland).	44, s. 1.
41 & 42 Vict. c. 49.	Weights and Measures Act, 1878.	S. 48 extended	63, s. 10 (1).
42 & 43 Vict. c. 47.	Petroleum Act, 1879.	S. 2 repealed, sch. 1 substituted, s. 3 am. (except as to N.I.).	25, ss. 2, 3, 11, schs. 1, 4.
43 & 44 Vict.: c. 20	Inland Revenue Act, 1880.	S. 16 amended	22, s. 9.
c. 41	Burial Laws Amendment Act, 1880.	S. 11 repealed (July 1, 1927).	48, s. 13, sch. 2.
44 & 45 Vict.: c. 2	Burial and Registration Acts (Doubts Removal) Act, 1881.	Repealed (July 1, 1927)	48, s. 13, sch. 2.
c. 58 (as amended)	Army Act	Ss. 18 (4), 44 proviso (1A), 49 (2), 52 (2), 82, 100 (2), 108A, 161, 181 (4) am.; 44 (*gg*), 48 (10), 56 (4A), (4B), (4C) and (6) added; 52 (1), 58–68, 130 (2), 131–5 substituted.	6, ss. 4–10, 12–14, sch. 2.
c. 67	Petroleum (Hawkers) Act, 1881.	Repealed except as to N.I.	25, s. 11, sch. 4.
45 & 46 Vict.: c. 9	Documentary Evidence Act, 1882.	Applied (as amending 31 & 32 Vict. c. 37) to Commrs. of Works.	36, s. 2 (4).
c. 50	Municipal Corporations Act, 1882.	S. 171 (3) (4), sch. 4, para. 3, sch. 5, part II., para. 4 in pt. repealed (May 1, 1927).	59, ss. 31. 34 (4), sch. 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
45&46 Vict.:			
c. 56 -	Electric Lighting Act, 1882.	Applied, ss. 3 (5) am., 8, 26 extended, 13 excluded.	51, ss. 16 (2), 20 (1), 24 (2), 46 (3), 50, 52 (1), sch. 6.
c. 77 -	Citation Amendment (Scotland) Act, 1882.	S. 3 (" enrolled law agent ") amended.	16, s. 4.
48 & 49 Vict.:			
c. 16 -	Registration Amdt. (Scotland) Act, 1885.	S. 11 am. (May 16, 1927) -	47, ss. 30, 31 (2), sch. 3.
c. 54 -	Pluralities Acts Amendment Act, 1885.	Ss. 2 second para., 3–8, 10 and in part 9, repealed by Benefices (Eccles. Duties) Measure, 1926 (16 & 17 Geo. 5, No. 8).	
c. 55 -	Eccles. Commrs. Act, 1840, Amdt. Act, 1885.	Amended by Eccles. Commrs. Measure (16 & 17 Geo. 5, No. 4), ss. 1, 8 (prosp.).	
c. 61 -	Secretary for Scotland Act, 1885.	S. 2 to " pounds a year," and ss. 3, 4 repealed.	18, s. 4 (2), sch.
		S. 3 in part repealed - -	19.
50 & 51 Vict.:			
c. 23 -	Incumbents Resignation Act, 1887.	*See* Clergy Pensions Measure, 16 & 17 Geo. 5, No. 6, ss. 6 (5), 16 (1) (*f*), 19, 24, 36.	
c. 27 -	Markets and Fairs (Weighing of Cattle) Act, 1887.	S. 9 (1) am., new schedule substituted (E.S.).	21, ss. 2, 3, 4 (1) (3), sch.
c. 28 -	Merchandise Marks Act, 1887.	Excluded - - - -	45, ss. 10, 30 (2) (prospective).
		Extended, s. 2 (3) substituted for purposes of such extension.	53, ss. 2 (5), 5 (1), 10 (1), 13 (1) (2).
c. 35	Criminal Procedure (Scotland) Act, 1887.	S. 72 am. - - - -	15, s. 17 (2).
c. 71	Coroners Act, 1887	Ss. 4 (5), 12, 18 (6), 22, 24, 39 (2) repealed, 3 (1) (3), 4 (1) (3), 5 (1), 7 (1)–(3), 8 (2), 18 (1) (3), 19 (2), 21 (2) (3), 25–6, 27 (1) (2), 28 amended, 3 excl., 6 explained, 25, 28 extended (May 1, 1927).	59, ss. 1 (4), 5 (4), 13, 15 (1), 19, 22 (3), 28–31, 34 (2) (4), schs. 2, 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
51 & 52 Vict.: c. 2.	National Debt (Conversion) Act, 1888.	S. 29 (repealed by 8 Edw. 7. c. 49) revived and applied, ss. 14–32 (whether repealed or not) made applicable by rules.	22, s. 46 (5).
c. 4	Army (Annual) Act, 1888.	S. 4 (s. 63 of Army Act) virt. repealed.	6, s. 10, sch. 2, pt. I.
c. 12	Electric Lighting Act, 1888.	Ss. 2, 3 excluded	51, ss. 20 (1), 39 (1) (*d*), 40, 52 (1).
c. 25	Railway and Canal Traffic Act, 1888.	Ext.	28, s. 24 (1).
c. 41	Local Government Act, 1888.	S. 69 (borrowing powers) ext. S. 54 (1) (*d*) and in part (3) repealed, s. 54 restricted. S. 69 extended	24, s. 3 (2) (*a*). 38, ss. 1 (1), 2. 56, s. 5 (4).
c. 43	County Courts Act, 1888.	Ss. 138–45 applied	52, s. 7 (5).
52 & 53 Vict.: c. 3	Army (Annual) Act, 1889.	S. 4 (s. 135 of Army Act) virt. repealed.	6, s. 10, sch. 2, pt. II.
c. 21	Weights and Measures Act, 1889.	Ss. 8, 35 extended S. 32 repealed (July 1, 1927).	8, ss. 1, 3 (1), 5 (2). 63, s. 15, sch. 3.
c. 30	Board of Agriculture Act, 1889.	S. 8 (1) from "and shall be deemed" repealed.	19.
c. 49	Arbitration Act, 1889.	Excluded by Clergy Pensions Measure, 1926 (16 & 17 Geo. 5, No. 6, s. 23 (6)).	
c. 50	Local Government (Scotland) Act, 1889.	S. 76 applied Ss. 27 (4), 60 (5) repealed, 62 (4) substituted, 60 (3) (4), 66, 120 applied, 27 (2), 62 (5), 66, 71, 73 (2) am. (May 16, 1927.)	45, s. 28 (1) (*c*). 47, ss. 9, 10, 13 (5) (7), 14 (4), 23, 25 (1)–(3) (5), 27 (9), 30, 31 (2), schs. 2, 3.
53 & 54 Vict. c. 59.	Public Health Acts Amendment Act, 1890.	Made applicable by regs.	51, s. 28 (3).
54 & 55 Vict.: c. 38	Stamp Duties Management Act, 1891.	Applied (betting duty revenue tickets).	22, ss. 16 (3), 47 (1).
c. 70	Markets and Fairs (Weighing of Cattle) Act, 1891.	S. 4 extended (E.S.)	21, ss. 2, 4 (1) (3).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
54&55 Vict.:			
c. 76	Public Health (London) Act, 1891.	Ss. 4 (4), 5 (9), 6 (3), 23–4 am., 114 applied.	43, ss. 1 (2), 2, 3, 12 (4).
55 & 56 Vict.:			
c. 51	Education and Local Taxation Account (Scotland) Act, 1892.	S. 2 (4) am. (May 16, 1927)	47, ss. 25 (4), 31 (2).
c. 55	Burgh Police (Scotland) Act, 1892.	Ss. 267, 373 am., 233 saved, 346–7 repealed (May 16, 1927). S. 427 repealed (July 1, 1927).	47, ss. 11–2, 30, 31 (2), sch. 3. 63, s. 15, sch. 3.
c. 56	Coroners Act, 1892	Applied and ext., s. 1 (6) repealed, s. 1 (1) (3) (4) am. (May 1, 1927).	59, ss. 9, 10, 11 (1) (4), 31, 34, (4), sch. 3.
56 & 57 Vict.:			
c. 66	Rules Publication Act, 1893.	S. 1 excluded S. 1 excluded	28, s. 18 (5). 59, s. 12 (6).
c. 69	Savings Bank Act, 1893.	S. 5 (2) and sch. 1 ("Government stock") ext.	22, s. 46 (4).
c. 73	Local Government Act, 1891.	S. 57 applied	43, s. 6.
57 & 58 Vict. c. 58.	Local Government (Scotland) Act, 1894.	Ss. 27 (1), 37, 38 (1), and (save as applied by Local Act) 51 (3) am., 44 (7) repealed (May 16, 1927).	47, ss. 25 (5), 30, 31 (2), sch. 3.
59 & 60 Vict. c. 37.	Agricultural Rates Congested Districts and Burgh Tax Relief (Scotland) Act, 1896.	Ss. 2 (4) applied, s. 1 repealed, s. 5 virt. repealed (May 16, 1927).	47, ss. 13 (4) (8), 30, 31 (2), sch. 3.
60 & 61 Vict. c. 39.	Yorkshire Coroners Act, 1897.	Applied	59, ss. 33, 34 (4).
61 & 62 Vict.:			
c. 48	Benefices Act, 1898	Ss. 8, 9, 13 (3) and in part 11 repealed by Benefices (Eccles. Duties) Measure, 1926 (16 & 17 Geo. 5, No. 8).	
c. 60	Inebriates Act, 1898	S. 25 (*a*) virt. repealed	18.
62 & 63 Vict.:			
c. 19.	Electric Lighting (Clauses) Act, 1899.	Schedule applied, ss. 7, 14, 20 amended.	51, ss. 20 (1), 42 (2), 43, sch. 5.
c. 33	Board of Education Act, 1899.	S. 8 (1) from "in Schedule H." (where first occurring) to "(Ireland) Act, 1868, and" repealed.	19.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
62&63 Vict.: c. 48	Lincolnshire Coroners Act, 1899.	Applied	59, ss. 33, 34 (4).
c. 51	Sale of Food and Drugs Act, 1899.	Ss. 20 incorporated, 26 applied (prosp.).	63, ss. 12 (4), 13 (1), 15.
1 Edw. 7: c. 22	Factory and Workshop Act, 1901.	Ss. 73, 80–1, 84–6, 119–21, 135–48 applied (lead paint).	37, ss. 1 (2), 3, 5 (1), 8.
c. 24	Burgh Sewerage, Drainage and Water Supply (Scotland) Act, 1901.	S. 2 am.	47, ss. 30, 31 (2), sch. 3.
2 Edw. 7: c. 8	Cremation Act, 1902.	S. 7 extended (E.)	48, ss. 10, 13 (4).
c. 17	Midwives Act, 1902	Ss. 1 (1) am., 3, 8 ext., new subs. 1 (2) substituted.	32, ss. 1, 3 (1), 4.
3 Edw. 7. c. 14.	Borough Funds Act, 1903.	Act extended, s. 1, sch. 1 excluded.	38, s. 3.
4 Edw. 7. c. 28.	Weights and Measures Act, 1904.	Ss. 5, 9 extended	8, ss. 2, 3 (2), 5 (2).
		S. 11 repealed (July 1, 1927)	63, s. 15, sch. 3.
6 Edw. 7: c. 2.	Army (Annual) Act, 1906.	S. 9 and, so far as relating to s. 52 of the Army Act, s. 4 (4) virt. repealed.	6, ss. 6 (1), 10, sch. 2.
c. 14	Alkali, &c., Works Regulation Act, 1906.	Ss. 7 (1), 27, sch. 1, extension by order (E.).	43, ss. 4, 12 (2) (4).
c. 27	Fertilisers and Feeding Stuffs Act, 1906.	Prospectively repealed (E.S.N.I.).	45, s. 30 (2) (3).
7 Edw. 7: c. 2	Army (Annual) Act, 1907.	Ss. 6 and 10 (5) (s. 133 of Army Act), sch. 3 pts. I and II, so far as relating to ss. 64–8, 131 and 133 of the Army Act, and pt. III, virt. repealed.	6, s. 10, sch. 2.
c. 17	Probation of Offenders Act, 1907.	S. 1 (3), as substituted by 15 & 16 Geo. 5. c. 86. s. 7 (2), substituted afresh (E.).	13, s. 1 (1).
c. 23	Criminal Appeal Act, 1907.	S. 5 extended	58, s. 1 (1) (2).
c. 27	Advertisements Regulation Act, 1907.	S. 6 (1) virt. repealed	18, s. 1 (1).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
7 Edw. 7: c. 51	Sheriff Courts (Scotland) Act, 1907.	S. 49 repealed, Rule 126 in Sched. I excluded.	16, ss. 2 (2) (*g*), 7.
8 Edw. 7: c. 36	Small Holdings and Allotments Act, 1908.	Act applied to cottage holdings, ss. 1–21, 39 (8) proviso, 46 (2), 55–6, 58 (2) repealed, 38, 44, 46, 49 (2), 50, 57 (1), 59, 61, sch. 1 pt. I (3) am., sch. 2 pt. II (18) and (19) added, ss. 39 (8), 52 ext., new Part I substituted.	52, ss. 12, 14 (4), 15–8, 21–2, 23 (2), schs. 1, 2.
c. 48	Post Office Act, 1908.	S. 56 (2), Secy. for Scotland now a Secy. of State.	18.
		S. 65 applied to betting duty revenue tickets.	22, ss. 16 (3), 47 (1).
c. 57	Coal Mines Regulation Act, 1908.	S. 3 (1) am., (2) omitted (till July 8, 1931).	17.
c. 59	Prevention of Crime Act, 1908.	S. 17 (5) repealed with saving.	15, s. 12 (4); and *see* s. 1 (*c*).
c. 67	Children Act, 1908	S. 132 (1) as to substitution of Secy. for Scotland for Secy. of State virt. repealed.	18, s. 1.
		Glasgow Acts cited in s. 132 (24) repealed.	xxxvii.
c. 69	Companies (Consolidation) Act, 1908.	Ss. 230 (3), 232, 234, and 237 from "and to what" repealed.	9, ss. 13–5, 19, sch. 4.
9 Edw. 7: c. 3	Army (Annual) Act, 1909.	Sch. 2 pt. II, so far as relating to ss. 59, 64 and 67 of Army Act, virt. repealed.	6, s. 10, sch. 2, pt. I.
c. 30	Cinematograph Act, 1909.	S. 8 (1) virt. repealed	18, s. 1.
10 Edw. 7 & 1 Geo. 5. c. 8.	Finance (1909–10) Act, 1910.	Applied (coal royalties)	28, s. 14 (2)–(4), sch.
1 & 2 Geo. 5: c. 50	Coal Mines Act, 1911.	Ss. 16, 20–1, 86 (2)–(5), 117, sch. 2, pt. I applied, ss. 9, 10 variable by Bd. of Trade order.	28, ss. 21 (3) (4), 22, 23 (5).
c. 53	House Letting and Rating (Scotland) Act, 1911.	Saved, s. 7 (3) substituted (May 16, 1927).	47, ss. 16–7, 26.
2 & 3 Geo. 5. c. 3.	Shops Act, 1912	S. 20, Secy. for Scotland now a Secy of State.	18.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
3 & 4 Geo. 5:			
c. 4 -	Prisoners (Temporary Discharge for Ill-health) Act, 1913.	S. 3, Secy. for Scotland now a Secy. of State.	18.
c. 17 -	Fabrics (Misdescription) Act, 1913.	S. 7 (1) virt. repealed -	18.
c. 19 -	Local Government (Adjustments) Act, 1913.	Sch. pt. II (2) am. - -	38, s. 5.
c. 38 -	Mental Deficiency and Lunacy (Scotland) Act, 1913.	S. 65 (2) am. (May 16, 1927)	47, ss. 30, 31 (2), sch. 3.
4 & 5 Geo. 5:			
c. 46 -	Milk and Dairies (Scotland) Act, 1914.	S. 27 excluded - - -	63, s. 13 (4) (*b*).
c. 47 -	Deeds of Arrangement Act, 1914.	Part V of 16 & 17 Geo. 5. c. 9 applied to fixing and disposal of fees.	9, s. 16.
c. 59 -	Bankruptcy Act, 1914.	Ss. 161 from "Provided that" and 163 repealed, 26 (2), 154, 161, 164 and sch. 2 (5) am., ss. 26 (3) (*h*), 39 and (from June 16, 1928) 158 (1) (3) substituted, 33 explained and 156 (*b*) extended.	7.
		Ss. 90 (5), 91, 133 (1) from "and to what," and 135 repealed and in part replaced.	9, ss. 13–6, 19 (2), sch. 4.
5 & 6 Geo. 5:			
c. 89 -	Finance (No 2) Act, 1915.	S. 11 (1) cont., 13 (4) (as applied by 15 & 16 Geo. 5. c. 36. s 3) am., 45 (5), and sch. 4, pt. III, para. 2 applied.	22, ss. 2, 3, 38 (3), 39, 40.
		S. 45 (5) applied - -	28, s. 19 (3).
c. 90 -	Indictments Act, 1915.	Excluded - - -	59, s. 25 (3).
c. 94 -	Evidence (Amendment) Act, 1915.	S. 5 so far as relates to the Secretary for Scotland superseded.	18.
6 & 7 Geo. 5:			
c. 65 -	Ministry of Pensions Act, 1916.	S. 7 (1) from "in Schedule H." (where first occurring) to "(Ireland) Act, 1868; and" repealed.	19.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
6 & 7 Geo. 5: c. 68	New Ministries and Secretaries Act, 1916.	S. 12 (2) repealed	19.
7 & 8 Geo. 5: c. 19	Coroners (Emergency Provisions) Act, 1917.	Repealed (May 1, 1927, continued till then by Expir. Laws Cont. Act).	59, ss. 31, 34 (4), sch. 3.
c. 51	Air Force (Constitution) Act, 1917.	S. 11 amended	18, s. 3.
c. 56	Coal Mines Control Agreement (Confirmation) Act, 1918.	Time limit to assessments and claims.	28, s. 19.
c. 64	Representation of the People Act, 1918.	Ss. 6, 7 (2) and (with saving for autumn register of 1926) 11 am., 43 (4A) added, 43 (14) and (18) repealed.	9, ss. 9–11, sch. 3.
		Schedule 6, para. 7, powers of Secy. for Scotland to be powers of a Secy. of State.	18.
—	Air Force Act	Ss. 18 (4), 44 proviso (1A), 52 (2), 161, 179A (2) am.; 44 (*gg*), 56 (4A) (4B) (4C) (6), 190 (9) added; 52 (1), 58–68, 130 (2), 131–5 substituted.	6, ss. 4–11, 15–6, sch. 2.
8 & 9 Geo. 5: c. 6	Army (Annual) Act, 1918.	Ss. 6 and 7 (ss. 52 (1) and 133 (1) of Army Act) virt. repealed.	6, s 10, sch. 2.
c. 15	Finance Act, 1918	S. 12 repealed	22, s. 47, sch. 5, pt. II.
c. 17	Land Drainage Act, 1918.	Powers of Ministry under Part II transferred to county and county borough councils, Part II ext., s. 17 repealed.	24, ss. 1, 2 (2) (13), 6.
c. 23	Juries Act, 1918	Repealed (May 1, 1927; continued till then by Expir. Laws Cont. Act) so far as in force (s. 7).	59, ss. 31, 34 (4), sch. 3.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
8 & 9 Geo. 5: c. 40	Income Tax Act, 1918.	Ss. 1, 19, sch. 1, Sch. A VIII rr. 1, 2, Sch. C rr. 1, 5, Sch. D Case VI r. 2, am.; forms in sch. 5 alterable by O. in C.; Sch. D Cases I and II r. 11 substit., Case III r. 2 (1) applied, Case IV rr. 1, 2 restricted; property transferred from Sch. A to Sch. D; Act modified for purposes of Irish Free State agreement.	22, ss. 22, 23 (2), 24, 26, 28–9, 30 (ii), 32, 36–7, 47, schs. 2, pt. II, 3–5.
c. 41	Isle of Man (Customs) Act, 1918.	S. 2 continued (tobacco)	27, s. 1.
c. 43	Midwives Act, 1918	Ss. 6 (2), 14 (2) am., 8 (2) applied, 14 (4) excluded.	32, ss. 2, 4.
c. 48	Education (Scotland) Act, 1918.	S. 13 (2) (3) (5), sch. 4, para. 5 proviso and para. 6 repealed, s. 13 ext. (May 16, 1927).	47, ss. 5, 30, 31 (2), sch. 3.
9 & 10 Geo. 5: c. 2	Re-election of Ministers Act, 1919.	Ss. 1 (1) in part, 1 (2), and 2 in part repealed.	19.
c. 11	Army (Annual) Act, 1919.	S. 9 (s. 131 of Army Act) virt. repealed.	6, s. 10, sch. 2, pt. II.
c. 20	Scottish Board of Health Act, 1919.	S. 3 (1) to "this Act," and from "There shall be paid," repealed.	18, s. 4 (2), sch.
c. 29	Weights and Measures (Leather Measurement) Act, 1919.	Repealed (except as to N.I.) with savings.	8, ss. 4, 5 (2).
c. 32	Finance Act, 1919	S. 8 applied	27, ss. 13 (3), 14 (2).
c. 46	Police Act, 1919	S. 13 (1), Secy. for Scotland now a Secy. of State.	18.
c. 57	Acquisition of Land (Assessment of Compensation) Act, 1919.	Excluded	52, s. 17 (3).
c. 59	Land Settlement (Facilities) Act, 1919.	Act applied to cottage holdings, ss. 1, 10, 11 (2) (5)–(7), 18, 20, 26 repealed, 7, 11 (1) (3), 12–3, 16 (2) (3) am., 11 (3) restricted.	52, ss. 12, 19 (1), 20–2, schs. 1, 2.
c. 74	Isle of Man (Customs) Act, 1919.	Schedule 2 am. (tobacco)	27, s. 1 (2).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
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c. 91	Ministry of Agriculture and Fisheries Act, 1919.	S. 8 (1) virt. repealed by transfer of powers of Ministry.	24, s. 1.
c. 100	Electricity (Supply) Act, 1919.	Applied generally, ss. 1 (7), 13 (2), 21, 32 (3) amended, 6, 7, 15 (2), 16 (as adapted), 21–2, 26, 36 applied, 24 excluded, 8 (2), 22 saved, 5 substituted, 15 (1) (*cc*) added.	51, ss. 9 (6), 15, 20 (1), 21, 23 (2), 27 (4), 31 (2), 33, 36–8, 44, 46 (2), 49, 50, 51 (1), 52 (1), schs. 4, 6.
10 & 11 Geo. 5:			
c. 4	Coal Mines (Emergency) Act, 1920.	Time limit to assessments and claims.	28, s. 19.
c. 18	Finance Act, 1920	Ss. 24 am., 24 (2) virt. repealed, 58 and (for purposes of Irish Free State agreement) 27 applied, 59 excluded.	22, ss. 20, 23, 44, 46 (1), sch. 2, pt. I [2].
c. 30	Unemployment Insurance Act, 1920.	Temp. exclusion of s. 17 (1) (*a*), by 15 & 16 Geo. 5. c. 69. s. 5 (1), extended.	12, ss. 1 (*c*), 2 (2).
c. 41	Census Act, 1920	Powers of Secy. for Scotland under s. 9 (1) to be powers of Secy. of State.	18, s. 1.
c. 43	Firearms Act, 1920	S. 17 (1) virt. repealed as to Secy. for Scotland.	18.
c. 50	Mining Industry Act, 1920.	Ss. 20 (5) repealed, 20 (3) am.	28, ss. 15, 17 (3).
c. 54	Seeds Act, 1920	Excluded	63, s. 13 (1).
c. 67	Government of Ireland Act, 1920.	S. 47 am.	44, s. 3.
c. 72	Roads Act, 1920	S. 2 am.	22, s. 42.
11 & 12 Geo. 5:			
c. 6	Coal Mines (Decontrol) Act, 1921.	Assessments and claims limited.	28, s. 19.
c. 30	Coroners Act, 1921	Repealed (May 1, 1925) as to coroners paid out of county or borough rates.	59, ss. 31, 34 (4), sch. 3.
c. 31	Police Pensions Act, 1921.	S. 34 (1) (*a*), powers of Secy. for Scotland to be powers of a Secy. of State.	18.
		Ss. 19 amended, 20 extended.	34.
c. 32	Finance Act, 1921	Ss. 26 repealed (April 26, 1927), 39 restricted, 49–51 ("Govt. stock") extended.	22, ss. 37, 38 (1), 46 (4), sch. 5, pt. I.

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
11 & 12 Geo. 5.:			
c. 34	Representation of the People Act, 1921.	S. 1 amended	9, ss. 9, 11, sch. 3.
c. 40	Isle of Man (Customs) Act, 1921.	S. 3, sch., continued with modification.	27, s. 3, sch. 1.
c. 47	Safeguarding of Industries Act, 1921.	Part I cont. to Aug. 19, 1936, sch. ext., s. 1 (1) (5) am., power to exempt from s. 1.	22, ss. 10, 12.
c. 51	Education Act, 1921.	S. 118 (2) am.	9, s. 12.
c. 65	Trade Facilities Act, 1921.	S. 1 (1) proviso and (2) extended.	3, s. 1.
c. 67	Local Authorities (Financial Provisions) Act, 1921.	Continued (ss. 1, 3 (3), 6 modified).	10.
12 & 13 Geo. 5:			
c. 7	Unemployment Insurance Act, 1922.	S. 2 so far as unrepealed (*see* 15 & 16 Geo. 5. c. 69. s. 5 (3), sch. 1), and sch. 1, pt. II, repealed.	9, s. 19, sch. 4.
c. 12	Representation of the People Act, 1922.	Schedule, Parts I and II amended.	9, ss. 9, 11, sch. 3.
c. 16	Law of Property Act, 1922.	S. 43 (8), sch. 13, pt. II (13) am.	11, ss. 7, 8 (2), sch.
c. 29	Sale of Tea Act, 1922.	Repealed (July 1, 1926)	63, s. 15, sch. 3.
c. 35	Celluloid and Cinematograph Film Act, 1922.	S. 10 (1) as to Secretary for Scotland virt. repealed.	18, s. 1.
c. 38	Nat. Health Insurance Act, 1922.	Proviso to s. 1 (3) saved	9, s. 1 (2).
c. 46	Electricity Supply Act, 1922.	Ss. 19 virt. repealed, 21 (1) am., 24 proviso added, 7 excluded, 11 saved.	51, ss. 9 (3), 21 (2), 36, 50, sch. 6.
c. 52	Allotments (S.) Act, 1922.	S. 16 amended	5.
c. 59	Local Government and other Officers' Superanuation Act, 1922.	Applied Applied on adoption	47, s. 27. 51, s. 33.

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13 & 14 Geo. 5:			
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c. 6	Local Authorities (Emergency Provisions) Act, 1923.	Continued temporarily	10.
c. 8	Industrial Assurance Act, 1923.	S. 11 substituted	35.
c. 9	Agricultural Holdings Act, 1923.	S. 12 (7) (*d*) extended Ss. 16, 57 (1) (rules of good husbandry) applied.	11, ss. 2, 8 (2). 52, ss. 6 (1) (*c*), 7 (2) (*b*).
c. 14	Finance Act, 1923	Ss. 24 and (as to 1926–7) 32 am.	22, ss. 27, 41.
c. 20	Mines (Working Facilities and Support) Act, 1923.	Part I ext., ss. 5 and 6 (as to "coal") am., s. 10 applied as ext.	28, ss. 9, 13, 24 (1).
c. 39	Agricultural Rates Act, 1923.	Ss. 8, 12 repealed, 10 am. (May 16, 1927).	47, ss. 13, 30, 31 (2), sch. 3.
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c. 8	Trade Facilities Act, 1924.	S. 3 (1) superseded	3, s. 2.
c. 10	Nat. Health Insurance (Cost of Medical Benefit) Act, 1924.	S. 1 (2) (*a*) (*b*) amended (Act expired Dec. 31, 1926; s. 3 not continued by Expir. Laws Cont. Act).	9, s. 6, sch. 1.
c. 21	Finance Act, 1924	S. 1 (as cont. by 15 & 16 Geo. 5. c. 36. s. 1) cont., ss. 3 (2) and (April 6, 1927) 26 repealed.	22, ss. 1, 37, 47, sch. 5.
c. 24	Isle of Man (Customs) Act, 1924.	S. 4 continued	27, s. 4.
c. 27	Conveyancing (Scotland) Act, 1924.	Schedule F. amended (prosp.).	50, s. 4, sch. 2.
c. 29	Local Authorities (Emergency Provisions) Act, 1924.	Continued temp.	10.
c. 30	Unemployment Insurance (No. 2) Act, 1924.	Ss. 1, 3 (2) extended	12, ss. 1 (*a*) (*b*), 2 (2).

Statute and Chapter.	Subject or Short Title.	How affected.	Chapter of 16 & 17 Geo. 5.
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c. 14	Housing Act, 1925	S. 80 (2) (ii) and (3) (L.C.C. and metrop. borough councils) am.	xcviii, s. 38.
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c. 15	Housing (Scotland) Act, 1925.	Extended	56, s. 8 (*g*).
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c. 19	Trustee Act, 1925	Ss. 14 (2) (*a*), 25 (4), 26 (1), 27 (1) am., 68 (18) ext.	11, ss. 3, 7, 8 (2), sch.
c. 20	Law of Property Act, 1925.	Ss. 2 (2), 7, 28 (1), 35, 36 (2), 89 (6), 94 (2), 96 (2), 125 (2), 140 (2), sch. 1, pts. II and IV am., ss. 26 (3), 27 (2) substituted, 205 (xxviii) ext.	11, ss. 2, 3, 7, 8 (2), sch.
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c. 36	Finance Act, 1925	Ss. 1, 14 cont., 3 (2), 18 amended, 6 restricted (power to exempt), 19 (2) (3) applied, 21 (for purposes of Free State agreement) excluded.	22, ss. 1, 3, 12, 19 (1), 20–1, 23, 47, sch. 2, pt. II [3], sch. 5, pt. II.

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c. 80	Mining Industry (Welfare Fund) Act, 1925.	S. 1 (*b*) am.	28, s. 15.
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1926

THE

LOCAL AND PRIVATE ACTS

PASSED IN THE SIXTEENTH
AND SEVENTEENTH YEARS OF THE REIGN
OF HIS MAJESTY

KING GEORGE THE FIFTH

IN THE SECOND SESSION OF THE
THIRTY-FOURTH PARLIAMENT OF THE
UNITED KINGDOM OF GREAT
BRITAIN AND IRELAND

WITH AN

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A TABLE

OF

THE TITLES OF THE LOCAL AND
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A LOCAL CHARACTER) PASSED DURING
THE SESSION
ARRANGED ACCORDING TO CHAPTER.
[16 & 17 GEORGE 5.—A.D. 1926.]

LOCAL ACTS.

The Titles to which the Letter **P.** *is prefixed are Public Acts of a Local Character.*

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16 Geo. 5.

Royal Assent, 26th March 1926.

P. i. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Montrose Bridge. (*Montrose Bridge Order Confirmation.*)

Royal Assent, 29th April 1926.

P. ii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dunfermline and District Tramways. (*Dunfermline and District Tramways* (*Extensions*) *Order Confirmation.*)

iii. An Act for enabling the Chosen Syndicate Limited to reorganise and increase its capital and to provide for the cancellation of its "B" shares and to issue fully paid shares in exchange for the same and for other purposes. (*Chosen Syndicate Limited.*)

o (82)27532 Wt 98a—3 500 & 3900 12/26

16 & 17 Geo. 5.

Royal Assent, 16th June 1926.

iv. An Act to authorise the company of proprietors of the Birmingham Canal Navigations to close their wharf known as the Old Wharf in the city of Birmingham and to sell the same and the site thereof and for other purposes. (*Birmingham Canal Navigations.*)

v. An Act to confirm the construction of certain works by the Bristol Waterworks Company to provide for the consolidation and conversion of the capital and loan capital of the Company and for other purposes. (*Bristol Waterworks.*)

vi. An Act to confer further powers upon the Bristol General Cemetery Company and for other purposes. (*Bristol Cemetery.*)

vii. An Act to confer further powers upon the corporation of London in regard to sanitary matters and for other purposes. (*City of London* (*Various Powers*).)

viii. An Act to confer further powers upon the mayor aldermen and burgesses of the county borough of Birkenhead to run motor omnibuses to make further provision with reference to the finance of the borough and for other purposes. (*Birkenhead Corporation.*)

ix. An Act to authorise the Ascot District Gas and Electricity Company to raise additional capital and for other purposes. (*Ascot District Gas and Electricity.*)

x. An Act to authorise the Brompton Chatham Gillingham and Rochester Waterworks Company to construct new works and to raise additional capital to change the name of the Company to consolidate and convert the existing capital of the Company and for other purposes. (*Chatham and District Water.*)

xi. An Act to confer upon the corporation of Darwen further powers with respect to their tramway water gas and electricity undertakings to consolidate the local rates leviable in the borough to make better provision for the finance of the borough and for other purposes. (*Darwen Corporation.*)

xii. An Act to provide a new constitution for Messrs. Hoare Trustees and to re-incorporate the same and for other purposes. (*Messrs. Hoare Trustees.*)

xiii. An Act to reduce and re-arrange the capital of the Serle Street and Cook's Court Improvement Company to change the name of the Company and for other purposes. (*Serle Street and Cook's Court Improvement.*)

xiv. An Act to confer further powers upon the mayor aldermen and councillors of the metropolitan borough of Hackney in connection with their electricity undertaking to empower them to acquire lands and construct works to make further provision with regard to the health improvement and good government of the borough and for other purposes. (*Hackney Borough Council.*)

P. **xv.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Ayrshire Electricity. (*Ayrshire Electricity Order Confirmation.*)

P. **xvi.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Helensburgh Gas. (*Helensburgh Gas Order Confirmation.*)

P. **xvii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the London Midland and Scottish Railway. (*London Midland and Scottish Railway Order Confirmation.*)

P. **xviii.** An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Marriages Validity (Provisional Orders) Acts 1905 and 1924. (*Provisional Order* (*Marriages*) *Confirmation.*)

P. **xix.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Barnsley Maidstone Port Talbot Rochester and Chatham Joint Sewerage District Wakefield and West Kent Main Sewerage District. (*Ministry of Health Provisional Orders Confirmation* (*No.* 1).)

P. **xx.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Barnet Llanelly Lowestoft Preston St. Helens and Somerset. (*Ministry of Health Provisional Orders Confirmation* (*No.* 2).)

ROYAL ASSENT, 30th June 1926.

P. **xxi.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Altrincham Coulsdon and Purley Harrogate Kingston-upon-Thames Oxford and Sunderland. (*Ministry of Health Provisional Orders Confirmation* (*No.* 3).)

P. **xxii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation (General Powers). (*Edinburgh Corporation* (*General Powers*) *Order Confirmation.*)

P. **xxiii.** An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charities known as the Passmore Edwards District Cottage Hospital at Tilbury in the County of Essex and the Seamen's Hospital Society in the County of London. (*Passmore Edwards* (*Tilbury*) *Cottage Hospital Charity Scheme Confirmation.*)

P. xxiv. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the two Charities known as Allhallows Charity and the Charity of Thomas Marwood respectively both in the Parish of Honiton in the County of Devon. (*Allhallows and Marwood* (*Honiton*) *Charities Scheme Confirmation.*)

P. xxv. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charity called the Hospital of Robert Earl of Leicester in Warwick in the County of Warwick. (*Robert Earl of Leicester's Hospital Charity Scheme Confirmation.*)

P. xxvi. An Act to confirm a Scheme of the Charity Commissioners for the application or management of the Charities consisting of the London Road Congregational Chapel and the net proceeds of sale of the Trust Property in Hanover Place both in the Borough of Brighton in the County of Sussex. (*Brighton* (*London Road*) *Congregational Chapel Charities Scheme Confirmation.*)

xxvii. An Act to constitute the borough of Doncaster a county borough to enable the Corporation of that borough to provide and work trolley vehicles to consolidate the rates of the borough to make better provision for the local government and finance of the borough and for other purposes. (*Doncaster Corporation.*)

xxviii. An Act to amend certain provisions of the Medway Conservancy Act 1881 relating to proxies and to vessels sunk or stranded. (*Medway Conservancy.*)

xxix. An Act to empower the corporation of Halifax to execute street improvements and to confer further powers on them with respect to their several undertakings and for other purposes. (*Halifax Corporation.*)

xxx. An Act to empower the mayor aldermen and burgesses of the borough of Hartlepool to work trolley vehicles and for other purposes. (*Hartlepool Corporation* (*Trolley Vehicles*).)

xxxi. An Act to empower the urban district council of Ramsbottom to provide and work omnibuses within and beyond their district to make further provision in regard to the railless traction undertaking of the Council and for other purposes. (*Ramsbottom Urban District Council.*)

xxxii. An Act to empower the London Midland and Scottish Railway Company to construct a railway and for other purposes. (*London Midland and Scottish Railway.*)

xxxiii. An Act to empower the Taf Fechan Water Supply Board to acquire lands to extend the time for the construction of waterworks by the Board and for other purposes. (*Taf Fechan Water Supply.*)

xxxiv. An Act to authorise the Leicestershire and Warwickshire Electric Power Company to raise additional capital to confer further powers upon the Company and for other purposes. (*Leicestershire and Warwickshire Electric Power.*)

ROYAL ASSENT, 8th July 1926.

xxxv. An Act to confer further powers on the Abertillery and District Water Board. (*Abertillery and District Water Board.*)

xxxvi. An Act to provide for the transfer of the water undertaking of the Connah's Quay Gas and Water Company Limited to the urban district council of Connah's Quay to authorise the Council to supply water in their district and for other purposes. (*Connah's Quay Urban District Council Water.*)

P. **xxxvii.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Glasgow Education Authority (Juvenile Delinquency). (*Glasgow Education Authority (Juvenile Delinquency) Order Confirmation.*)

P. **xxxviii.** An Act to confirm a Provisional Order of the Minister of Health relating to Ilfracombe. (*Ministry of Health Provisional Order Confirmation (Ilfracombe).*)

ROYAL ASSENT, 15th July 1926.

P. **xxxix.** An Act to confirm a Provisional Order under the Land Drainage Act 1918 relating to a Drainage District in the administrative county of Westmorland. (*Land Drainage Provisional Order Confirmation (No. 1).*)

P. **xl.** An Act to confirm a Provisional Order made by one of His Majesty's Principal Secretaries of State under the Marriages Validity (Provisional Orders) Acts 1905 and 1924. (*Provisional Order (Marriages) Confirmation (No. 2).*)

P. **xli.** An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to North Berwick Burgh Extension. (*North Berwick Burgh Extension Order Confirmation.*)

P. **xlii.** An Act to confirm a Provisional Order made by the Minister of Transport under the General Pier and Harbour Act 1861 relating to Inverness Harbour. (*Pier and Harbour Order Confirmation.*)

xliii. An Act to authorise the Falmouth Docks and Engineering Company to construct a new dry dock and for other purposes. (*Falmouth Docks.*)

xliv. An Act to enable the mayor aldermen and councillors of the metropolitan borough of Bermondsey to control the carrying on of trading in the streets of the borough and for other purposes. (*Bermondsey Borough Council* (*Street Trading*).)

xlv. An Act to authorise the construction of new railways in the county of Nottingham to constitute a joint committee of the London Midland and Scottish Railway Company and the London and North Eastern Railway Company and for other purposes. (*Mid-Nottinghamshire Joint Railways.*)

xlvi. An Act to confer further powers on the Rhymney Valley Water Board to extend the time for the completion of an aqueduct to amend the Rhymney Valley Water Act 1921 and for other purposes. (*Rhymney Valley Water.*)

xlvii. An Act to re-arrange the finances of and reconstitute and re-incorporate the Shoreham Harbour Trustees to consolidate with amendments the Acts relating to the Trustees to change the name of the harbour and for other purposes. (*Shoreham Harbour.*)

xlviii. An Act to provide for the removal of Bethlem Hospital to the Monks Orchard Estate at Addington in Surrey and Beckenham and West Wickham in Kent and for the disposal of the existing hospital premises and convalescent home and the vesting of the said hospital premises or part thereof in the London County Council as an open space and for other purposes. (*Bethlem Hospital.*)

xlix. An Act to authorise the Undertakers of the Aire and Calder Navigation to construct training walls in the Rivers Humber and Trent at Trent Falls to provide for payment by the Humber Conservancy Board of the cost of constructing the said training walls and for other purposes. (*Trent Falls Improvement.*)

l. An Act to extend the time for the construction of works authorised by the Port of London Act 1917 to confer further powers on the Port of London Authority and for other purposes. (*Port of London.*)

li. An Act to amend and partially repeal the Pontefract Borough Extension Act 1875 to consolidate and to make further provision in regard to the rates levied in the borough of Pontefract and for other purposes. (*Pontefract Corporation.*)

ROYAL ASSENT, 4th August 1926.

lii. An Act to enable His Majesty's Postmaster-General to acquire lands in Blackpool Swansea and Doncaster for the public service and for other purposes. (*Post Office* (*Sites*).)

P. **liii.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Brighton East Barnet Valley Keighley Keswick Lichfield and Rotherham. (*Ministry of Health Provisional Orders Confirmation* (*No.* 4).)

P. **liv.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Fylde Preston and Garstang Joint Smallpox Hospital District Newquay Pontefract Stoke-on-Trent Swanage and Watford. (*Ministry of Health Provisional Orders Confirmation* (*No.* 5).)

P. lv. An Act to confirm certain Provisional Orders of the Minister of Health relating to Hythe King's Lynn Liverpool Middleton Sandown and Shanklin Joint Hospital District and Isle of Wight Joint Hospital District and Sheffield. (*Ministry of Health Provisional Orders Confirmation* (*No.* 6).)

P. lvi. An Act to confirm certain Provisional Orders of the Minister of Health relating to Cranleigh District Water Southwold Water and West Surrey Water. (*Ministry of Health Provisional Orders Confirmation* (*No.* 7).)

P. lvii. An Act to confirm certain Provisional Orders of the Minister of Health relating to Dunstable Water Harpenden Water and Heathfield and District Water. (*Ministry of Health Provisional Orders Confirmation* (*No.* 8).)

P. **lviii.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Thorne and District Water Trowbridge Water and Wokingham District Water. (*Ministry of Health Provisional Orders Confirmation* (*No.* 9).)

P. **lix.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Hertford and Middlesex and Watford (*Ministry of Health Provisional Orders Confirmation* (*No.* 10).)

P. **lx.** An Act to confirm certain Provisional Orders of the Minister of Health relating to Chester Leyton Nantwich Scarborough Spalding and Wimbledon. (*Ministry of Health Provisional Orders Confirmation* (*No.* 11).)

P. **lxi.** An Act to confirm a Provisional Order of the Minister of Health relating to Ashton-under-Lyne. (*Ministry of Health Provisional Order Confirmation* (*Ashton-under-Lyne Extension*).)

P. **lxii.** An Act to confirm a Provisional Order of the Minister of Health relating to Ealing. (*Ministry of Health Provisional Order Confirmation* (*Ealing Extension*).)

P. **lxiii.** An Act to confirm a Provisional Order made by the Minister of Transport under the Tramways Act 1870 relating to Leicester Corporation Tramways. (*Tramways Provisional Order.*)

P. **lxiv.** An Act to confirm a Provisional Order under the Land Drainage Acts 1861 and 1918 amending the Land Drainage

(Ouse) Provisional Order Confirmation Act 1925. (*Land Drainage Provisional Order Confirmation* (*No.* 2).)

P. lxv. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Edinburgh Corporation (Streets Buildings and Sewers). (*Edinburgh Corporation* (*Streets Buildings and Sewers*) *Order Confirmation.*)

P. lxvi. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Dundee Corporation. (*Dundee Corporation Order Confirmation.*)

P. lxvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Greenock Corporation. (*Greenock Corporation Order Confirmation.*)

P. lxviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Church of Scotland Ministers' and Scottish University Professors' Widows' Fund (Amendment). (*Church of Scotland Ministers' and Scottish University Professors' Widows' Fund* (*Amendment*) *Order Confirmation.*)

P. lxix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Kilmarnock Corporation. (*Kilmarnock Corporation Order Confirmation.*)

lxx. An Act to empower the urban district council of Paignton to construct additional waterworks to make further provision with regard to their water undertaking and the supply of water to other local authorities in bulk to extend the Council's water limits to make further and better provision for the health local government and improvement of their district and for other purposes. (*Paignton Urban District Council.*)

lxxi. An Act to authorise the improvement of the bridge over the River Teign at Teignmouth in the county of Devon to make further provision in regard to the ferry across the said river at Teignmouth and for other purposes. (*Teignmouth and Shaldon Bridge.*)

lxxii. An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Chorley in connection with their several undertakings to consolidate the rates of the borough and to make better provision for the health local government and finance of the borough and for other purposes. (*Chorley Corporation.*)

lxxiii. An Act to empower the Kidderminster and Stourport Electric Tramway Company to reconstruct a tramway and execute certain other works to confer further borrowing powers upon the Company and for other purposes. (*Kidderminster and Stourport Electric Tramway.*)

lxxiv. An Act to empower the lord mayor aldermen and citizens of the city and county of Kingston upon Hull to construct bridges across the River Hull and the Hedon Haven tramways and waterworks to extend their limits for the supply of water to make further provision in regard to their water undertaking and for other purposes. (*Kingston upon Hull Corporation.*)

lxxv. An Act to empower the urban district council of Mynyddislwyn to acquire lands for an arterial road to make further provision in regard to the electricity and gas undertakings of the Council and to the health good government and finances of their district to incorporate the West Monmouthshire Omnibus Board and to empower the Board to provide and run omnibuses and for other purposes. (*Mynyddislwyn Urban District Council.*)

lxxvi. An Act to authorise the Mexborough and Swinton Tramways Company to provide and work trolley vehicles on additional routes and for other purposes. (*Mexborough and Swinton Tramways.*)

lxxvii. An Act to empower the mayor aldermen and burgesses of the county borough of Bolton to acquire lands for various purposes to confer upon them further powers of running omnibuses to make further provision with reference to the improvement health and good government of the borough and for other purposes. (*Bolton Corporation.*)

lxxviii. An Act to consolidate and amend the constitution Acts and regulations of the Scottish Widows' Fund and Life Assurance Society to confer further powers on that Society and for other purposes. (*Scottish Widows' Fund and Life Assurance Society's.*)

lxxix. An Act to regulate the expenditure on capital account and lending of money by the London County Council during the financial period from the first day of April one thousand nine hundred and twenty-six to the thirtieth day of September one thousand nine hundred and twenty-seven and for other purposes. (*London County Council* (*Money*).)

lxxx. An Act to empower the urban district council of Colwyn Bay to run omnibuses to confer further powers on the Council with regard to the distribution of water the supply of electricity the purchase of lands for various purposes and the health local government and improvement of the district to provide for the consolidation of the parishes in the district and the consolidation of the rates of the district and for other purposes. (*Colwyn Bay Urban District Council.*)

lxxxi. An Act to empower the mayor aldermen and burgesses of the borough of Margate to construct street improvements sea walls and promenades and a reservoir and to purchase lands for various purposes to make further provision with regard to the health local government and improvement of the borough and for other purposes. (*Margate Corporation.*)

lxxxii. An Act to authorise the West Hampshire Water Company to construct new works and to raise additional capital to confirm the construction of certain existing works to extend the Company's limits of supply and for other purposes. (*West Hampshire Water.*)

lxxxiii. An Act to empower the Manchester Ship Canal Company to construct railways and divert a footpath to provide for the sub-division of the shares of the Company and for other purposes. (*Manchester Ship Canal* (*General Powers*).)

lxxxiv. An Act to dissolve University College Reading and to transfer all the property and liabilities of that College to the University of Reading and for other purposes. (*University of Reading.*)

lxxxv. An Act to provide for the transfer to the mayor aldermen and burgesses of the borough of Guildford from the Woking Water and Gas Company of a well and pumping station situate within that borough to authorise the Corporation to maintain and construct waterworks to confer further powers upon the Corporation in regard to their water and electricity undertakings and the health local government and improvement of the borough to provide for the consolidation of the rates of the borough and for other purposes. (*Guildford Corporation.*)

lxxxvi. An Act to consolidate the rates and to make further provision with respect to the finances of the borough of Middlesbrough and for other purposes. (*Middlesbrough Corporation.*)

lxxxvii. An Act to authorise the construction of certain new works for improving the harbour of Dover the raising of further moneys by the Dover Harbour Board and for other purposes. (*Dover Harbour.*)

lxxxviii. An Act for conferring further powers upon the Great Western Railway Company and for other purposes. (*Great Western Railway.*)

lxxxix. An Act to empower the London Electric and the Metropolitan District Railway Companies to execute works and the London Electric Railway Company to raise additional capital to confer further powers on the said and other companies and for other purposes. (*London Electric and Metropolitan District Railway Companies.*)

xc. An Act to provide for the establishment of a superannuation scheme for officers and servants of the Manchester Ship Canal Company and for other purposes. (*Manchester Ship Canal* (*Staff Superannuation*).)

xci. An Act to empower the Metropolitan Railway Company to construct new railways and other works and to acquire lands to revive and extend the time for the compulsory purchase of certain lands to extend the time for the compulsory purchase of certain other lands and the completion of certain works to raise additional capital to confer further powers on that Company and the London and North Eastern Railway Company and on the Metropolitan and Great Central Joint Committee and for other purposes. (*Metropolitan Railway.*)

xcii. An Act to empower the Southern Railway Company to construct works and acquire lands to confirm the construction of certain works to extend the time for the compulsory purchase of certain lands to transfer to the said Company the undertaking of the Newhaven Harbour Company and for other purposes. (*Southern Railway.*)

xciii. An Act to enable the corporation of the borough of Swindon to acquire lands to run omnibuses to extend their limits of supply for electricity and for other purposes. (*Swindon Corporation.*)

xciv. An Act to appoint new Trustees of certain lands tenements and hereditaments vested in the mayor aldermen and burgesses of the borough of Berwick-upon-Tweed to make further provisions with respect to the said lands tenements and hereditaments and for other purposes. (*Berwick-upon-Tweed Corporation* (*Freemen*).)

xcv. An Act to empower the mayor aldermen and burgesses of the borough of Eastbourne to acquire the Downs and Downland in and near the borough to make further provision with regard to the improvement of the borough and the electricity undertaking of the Corporation to authorise the consolidation of the rates of the borough and for other purposes. (*Eastbourne Corporation.*)

xcvi. An Act to extend the time limited for the construction of certain tramways and street works to confer further powers on the Rhondda Urban District Council with respect to their water undertaking and for other purposes. (*Rhondda Urban District Council.*)

xcvii. An Act to empower the mayor aldermen and citizens of the city of Worcester to provide and work tramways light railways trolley vehicles and omnibuses to make further provision with regard to the improvement of the city and for other purposes. (*Worcester Corporation.*)

xcviii. An Act to confer further powers upon the London County Council and upon the corporation of the city of London and metropolitan borough councils and for other purposes. (*London County Council* (*General Powers*).)

xcix. An Act to empower the lord mayor aldermen and burgesses of the city of Bristol to execute works to confer further powers upon them with reference to their dock and electricity undertakings to extend the boundaries of the city to enact provisions for the health local government and improvement of the city and for other purposes. (*Bristol Corporation.*)

c. An Act to confer powers upon the mayor aldermen and citizens of the city of Stoke-on-Trent with respect to a railway level crossing and for other purposes. (*Stoke-on-Trent Corporation.*)

ci. An Act to empower the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne and the mayor aldermen and burgesses of the county borough of Gateshead to provide lifts warehouses and other works in connection with the bridge authorised by the Newcastle-upon-Tyne and Gateshead Corporations (Bridge) Act 1924 and for other purposes. (*Newcastle-upon-Tyne and Gateshead Corporations (Bridge).*)

cii. An Act to confer further powers upon the lord mayor aldermen and citizens of the city and county of Newcastle-upon-Tyne to enact provisions for the health local government and improvement of the said city and for other purposes. (*Newcastle-upon-Tyne Corporation.*)

ciii. An Act to provide for the merger of the separate undertaking and the general undertaking of the Shropshire Worcestershire and Staffordshire Electric Power Company to confer further powers upon that Company and for other purposes. (*Shropshire Worcestershire and Staffordshire Electric Power.*)

civ. An Act to confer further powers upon the mayor aldermen and burgesses of the borough of Southend-on-Sea with respect to the disposal of sewage to make further provision with regard to the improvement of the borough and the health and good government thereof and for other purposes. (*Southend-on-Sea Corporation.*)

cv. An Act to confer additional borrowing powers upon the Gas Light and Coke Company and for other purposes. (*Gas Light and Coke Company's.*)

cvi. An Act to alter the boundaries of the borough of Wolverhampton to empower the mayor aldermen and burgesses of that borough to acquire lands and for other purposes. (*Wolverhampton Corporation.*)

ROYAL ASSENT, 15th December 1926.

P. cvii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Perth Corporation Water. (*Perth Corporation Water Order Confirmation.*)

P. cviii. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Stornoway Harbour. (*Stornoway Harbour Order Confirmation.*)

P. cix. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to Forth and Clyde Navigation (Castlecary and Kirkintilloch Road Bridges). (*Forth and Clyde Navigation* (*Castlecary and Kirkintilloch Road Bridges*) *Order Confirmation.*)

P. cx. An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1899 relating to the Glasgow Goldsmiths Company. (*Glasgow Goldsmiths Company Order Confirmation.*)

cxi. An Act to confer further powers on the Barnet District Gas and Water Company to extend their limits for the supply of water to consolidate and amalgamate their capital and for other purposes. (*Barnet District Gas and Water.*)

PRIVATE ACTS.

None.

TABLE II.

A TABLE

OF

THE TITLES OF THE LOCAL AND PRIVATE ACTS (INCLUDING THE PUBLIC ACTS OF A LOCAL CHARACTER) PASSED DURING THE SESSION,

ARRANGED ALPHABETICALLY.

[16 & 17 GEORGE 5.—A.D. 1926.]

Abertillery and District Water Board. c. xxxv.

Allhallows and Marwood (Honiton) Charities Scheme Confirmation. c. xxiv.

Ascot District Gas and Electricity. c. ix.

Ayrshire Electricity Order Confirmation. c. xv.

Barnet District Gas and Water. c. cxi.

Bermondsey Borough Council (Street Trading). c. xliv.

Berwick-upon-Tweed Corporation (Freemen). c. xciv.

Bethlem Hospital. c. xlviii.

Birkenhead Corporation. c. viii.

Birmingham Canal Navigations. c. iv.

Bolton Corporation. c. lxxvii.

Brighton (London Road) Congregational Chapel Charities Scheme Confirmation. c. xxvi.

Bristol Cemetery. c. vi.

Bristol Corporation. c. xcix.

Bristol Waterworks. c. v.

Chatham and District Water. c. x.

Chorley Corporation. c. lxxii.

Chosen Syndicate Limited. c. iii.

Church of Scotland Ministers' and Scottish University Professors' Widows' Fund (Amendment) Order Confirmation. c. lxviii.

City of London (Various Powers). c. vii.
Colwyn Bay Urban District Council. c. lxxx.
Connah's Quay Urban District Council Water. c. xxxvi.

Darwen Corporation. c. xi.
Doncaster Corporation. c. xxvii.
Dover Harbour. c. lxxxvii.
Dundee Corporation Order Confirmation. c. lxvi.
Dunfermline and District Tramways (Extensions) Order Confirmation. c. ii.

Eastbourne Corporation. c. xcv.
Edinburgh Corporation (General Powers) Order Confirmation. c. xxii.
Edinburgh Corporation (Streets Buildings and Sewers) Order Confirmation. c. lxv.

Falmouth Docks. c. xliii.
Forth and Clyde Navigation (Castlecary and Kirkintilloch Road Bridges) Order Confirmation. c. cix.

Gas Light and Coke Company's. c. cv.
Glasgow Education Authority (Juvenile Delinquency) Order Confirmation. c. xxxvii.
Glasgow Goldsmiths Company Order Confirmation. c. cx.
Great Western Railway. c. lxxxviii.
Greenock Corporation Order Confirmation. c. lxvii.
Guildford Corporation. c. lxxxv.

Hackney Borough Council. c. xiv.
Halifax Corporation. c. xxix.
Hartlepool Corporation (Trolley Vehicles). c. xxx.
Helensburgh Gas Order Confirmation. c. xvi.
Hoare (Messrs.) Trustees. c. xii.

Kidderminster and Stourport Electric Tramways. c. lxxiii.
Kilmarnock Corporation Order Confirmation. c. lxix.
Kingston upon Hull Corporation. c. lxxiv.

Land Drainage Provisional Order Confirmation :—
No. 1. c. xxxix [Westmorland]. | No. 2. c. lxiv [Ouse].
Leicestershire and Warwickshire Electric Power. c. xxxiv.
London County Council (General Powers). c. xcviii.
London County Council (Money). c. lxxix.

London Electric and Metropolitan District Railway Companies. c. lxxxix.

London Midland and Scottish Railway. c. xxxii.

London Midland and Scottish Railway Order Confirmation. c. xvii.

Manchester Ship Canal (General Powers). c. lxxxiii.

Manchester Ship Canal (Staff Superannuation). c. xc.

Margate Corporation. c. lxxxi.

Medway Conservancy. c. xxviii.

Messrs. Hoare Trustees. c. xii.

Metropolitan Railway. c. xci.

Mexborough and Swinton Tramways. c. lxxvi.

Middlesbrough Corporation. c. lxxxvi.

Mid-Nottinghamshire Joint Railways. c. xlv.

Ministry of Health Provisional Orders Confirmation :—

No. 1. c. xix [Barnsley, Maidstone, Port Talbot, Rochester and Chatham Joint Sewerage, Wakefield, West Kent Main Sewerage].

No. 2. c. xx [Barnet, Llanelly, Lowestoft, Preston, St. Helens, Somerset].

No. 3. c. xxi [Altrincham, Coulsdon and Purley, Harrogate, Kingston-upon-Thames, Oxford, Sunderland].

No. 4. c. liii [Brighton, East Barnet Valley, Keighley, Keswick, Lichfield, Rotherham].

No. 5. c. liv [Fylde Preston and Garstang Joint Smallpox Hospital, Newquay, Pontefract, Stoke-on-Trent, Swanage, Watford].

No. 6. c. lv [Hythe, King's Lynn, Liverpool, Middleton, Isle of Wight Joint Hospital, Sheffield].

No. 7. c. lvi [Cranleigh District Water, Southwold Water, West Surrey Water].

No. 8. c. lvii [Dunstable Water, Harpenden Water, Heathfield and District Water].

No. 9. c. lviii [Thorne and District Water, Trowbridge Water, Wokingham District Water].

No. 10. c. lix [Hertford and Middlesex, Watford (Extension)].

No. 11. c. lx [Chester, Leyton, Nantwich, Scarborough, Spalding, Wimbledon].

Ministry of Health Provisional Orders Confirmation :—

Ashton-under-Lyne Extension. c. lxi.

Ealing Extension. c. lxii.

Ilfracombe. c. xxxviii.

Montrose Bridge Order Confirmation. c. i.
Mynyddislwyn Urban District Council. c. lxxv.

Newcastle-upon-Tyne Corporation. c. cii.
Newcastle-upon-Tyne and Gateshead Corporations (Bridge). c. ci.
North Berwick Burgh Extension Order Confirmation. c. xli.

Paignton Urban District Council. c. lxx.
Passmore Edwards (Tilbury) Cottage Hospital Charity Scheme Confirmation. c. xxiii.
Perth Corporation Water Order Confirmation. c. cvii.
Pier and Harbour Order Confirmation [Inverness]. c. xlii.
Pontefract Corporation. c. li.
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OF

16 & 17 Geo. 5.—A.D. 1926.

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And see Rating.

Rating. *See* Bolton (c. xcix, pt. xv); Chorley (c. lxxii, pt. xii); Colwyn Bay (c. lxxx, pt. xi); Darwen (c. xi, pt. vii); Doncaster (c. xxvii, pt. v); Eastbourne (c. xcv, pt. v); Guildford (c. lxxxv, pt. xi); Halifax (c. xxix, pt. viii); Margate (c. lxxxi, pt. viii); Middlesbrough (c. lxxxvi, pt. ii); Pontefract (c. li); Differential, in connexion with borough extension, c. cvi, s. 48 (Wolverhampton).
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Reformatory Schools. *See* Glasgow (c. xxxvii).

Regents Canal and Dock Co. protected. c. xci, s. 44 (Metropolitan Railway).

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——— Corporation protected. c. lxxvi, s. 8 (Mexborough).

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St. James and Pall Mall Electric Light Co., Ltd., protected, c. lxxxix, s. 24 (London Electric, &c., Railway).

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Sandown and Shanklin Joint Hospital District Board dissolved. *See* Isle of Wight (c. lv, sch.).

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——— Pleasure grounds reserved for particular schools. c. xciii, s. 52 (Swindon).

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——— Discharge of offensive liquids into sewers, acids in pipes. *See* City of London (Various Powers) (c. vii, ss. 4, 5).

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Somerset Commissioners of Sewers protected. c. xcix, s. 44 (Bristol).

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South Lancashire Tramways Co. protected. c. lxxvii, s. 29 (Bolton).

South Staffordshire Stipendiary Justice Act, 1899, amended. c. cvi, s. 19 (Wolverhampton).

South Wales Electrical Power Distribution Co. protected. c. lxxxviii, s. 51 (Great Western Railway).

Southend-on-Sea Corporation Act (sewerage, streets and buildings, trolley vehicles, electricity, finance, &c.) - civ

———— and District Gas Co. protected. c. civ, s. 74 (Southend-on-Sea).

Southend Waterworks Co. protected. c. civ, s. 73 (Southend-on-Sea).

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———— Co. protected (c. lvi, sch. [48] (Cranleigh); c. lxxxvii, s. 22 (Dover Harbour); c. lxxxv, s. 35 (Guildford); c. lvii, sch. [25] (Heathfield); c. lxxxix, s. 74 (London Electric, &c., Railway); c. lxxxi, ss. 10, 28 (Margate); c. xlvii, s. 58 (Shoreham Harbour); c. lxxxii, s. 16 (West Hampshire Water); c. xix, sch. [2] (West Kent).

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Southwell R.D.C. protected. c. xlv, s. 12 (Mid-Nottinghamshire).

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And see Infectious Diseases.

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——— and Worcestershire Canal Co. protected. c. cvi, s. 85 (Wolverhampton).

Stanton Ironworks Co., Ltd., protected. c. xlv, s. 15 (Mid-Nottinghamshire).

Staveley Coal and Iron Co., Ltd., protected. c. xxxii, s. 6 (London Midland, &c.).

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